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Committee on Rules of Origin

Original: English

## SUBMISSION OF BENIN ON BEHALF OF LEAST-DEVELOPED COUNTRIES

*Decision on Template for the notification of preferential rules of origin  
for Least developed countries*

### *Revision*

The following submission, dated 10 February 2017, is being circulated at the request of the delegation of Benin.

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Adopted on [date] 2016

The Committee on Rules of Origin,

**Considering** the Ministerial Decision on Preferential Rules of Origin for least developed countries (WT/L/917/Add.1) adopted at the tenth Session of Ministerial Conference held in Nairobi, whereby Ministers instructed the CRO to develop a template for the notification of preferential rules of origin, to enhance transparency and promote a better understanding of the rules of origin applicable to imports from LDCs.

Agrees as follows:

1. Preference-granting Members shall notify to the Committee on Rules of Origin the preferential rules of origin applicable to imports from Least developed countries (LDCs) under their respective preferential trade arrangements (PTA) using the template specified in Annex A.
2. In addition to filling in the template in Annex A, preference-granting Members shall submit electronic or paper copies of the following documents. If these documents are already contained in a WTO document, preference-granting Members may provide the references of such documents.
  - (a) The legislative texts in one of the official WTO languages containing the preferential rules of origin applicable under a PTA granted under the Decision on Measures in Favour of Least-Developed Countries (Annex F of the Hong Kong Ministerial Declaration);
  - (b) The full text of the administrative regulations concerning modalities for issuance, acceptance, retrospective issuance and replacement of certificates of origin or any equivalent declarations to be made, including any requirements related to stamps to be used along with notification of stamps;
  - (c) The full text and related administrative regulations of the modalities for the proof of movement of the consignment of the goods from the beneficiary countries to preference-giving countries including transit through third countries; and
  - (d) The full texts of the modalities of the verification procedures and related penalties.

3. The purpose of this decision is to enhance transparency and better understanding of the rules of origin applicable for preferential import from least developed countries. These procedures do not affect Members' rights and obligations under the WTO Agreements in any way.
4. The Decision shall be applied to all existing preferential rules of origin applicable for import from least developed countries and any modification in future as well as any future preferential trade arrangements introduced by any members for least developed countries.

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**ANNEX A**Template for Notification for Preferential Rules of Origin for Least-Developed Countries**A. BASIC INFORMATION**

- 1) Notifying member: (Name of the Notifying Member);
- 2) Date of entering into force of Rules of origin and any substantive modification thereof: (Insert date and link to relevant source, if available);
- 3) Date of expiration of Rules of origin if applicable: (Insert date and link to relevant source);
- 4) Title of the preferential scheme for which legislation on Rules of origin is applicable;
- 5) Authority(ies) granting the preferential treatment: (Insert which authority is granting the preferential treatment and link to relevant source); and
- 6) National authorities in charge of Rules of origin administration: (Insert which authority is entitled to administer the rules of origin with direct phone number and email address and link to relevant source).

**B. INFORMATION ON RULES OF ORIGIN****I. BENEFICIARIES**

- 1) List of Beneficiaries: (Insert the link where the complete list of beneficiaries can be found and modalities are found); and
- 2) Eligibility: (Name the document, article/section where the eligibility criteria can be found and insert the specific related link).

**II. CRITERIA FOR DETERMINING SUBSTANTIAL TRANSFORMATION FOR ASSESSING THE COUNTRY OF ORIGIN**

- 1) General criteria, if applicable for all products:
  - (a) Definition of wholly obtained products; and
  - (b) Describe the criteria for not-wholly produced products
  - (c) Insert the formula for calculating *ad valorem* percentage
- 2) Product specific rules of origin where applicable:
  - (a) Insert the link where the complete list of product specific rules of origin can be found.
  - (b) Insert the formula for calculating *ad valorem* percentage, when applied for product specific rule
- 3) Definition of non-originating material and originating material, if any;
- 4) List of insufficient working process, if any;
- 5) Rules for application of cumulation and related procedures (provide a narrative summary and a link, if appropriate), if any; and
- 6) Any other information that member deems necessary (provide a link, if appropriate)

**III. DOCUMENTARY REQUIREMENTS**

- 1). Certificate of origin and other proofs of origin
  - (a) Requirement for certificate of origin and/or any other proof of origin, if any: (Indicate whether there is any requirement for issuance of certificate of origin and/or any other proof of origin);
  - (b) Authority to be designated for issuance of certificate of origin: (Indicate whether government authority or private sector is to be designated for issuance the certificate of origin);

- (c) Prescribed form of Certificate of origin and/or any other proof of origin: (Attach prescribed form if applicable, and/or provide a link, if appropriate); and
  - (d) Any other procedures applied for certificate of origin and/or any other proof of origin, if any (provide a link, if appropriate).
- 2) Direct shipment
- (a) Rules applicable for direct shipment, if any;
  - (b) Documentary requirement for proof of direct shipment including when the transport of consignment involves transit through one or more intermediate countries, if any.

#### **IV. VERIFICATION AND PENALTIES**

- 1) Procedure for verification of proofs of origin: (Name the document, article/section where provisions related to verifications can be found and/or insert the specific related link)
  - 2) Penalties for fraud and false declarations: (Name the document, article/section where provisions related to penalties can be found and/or insert the specific related link)
  - 3) Authorities and procedures for appeal in the case of dispute on verification
  - 4) Requirement for preserving the documents related to issuance of certificate of origin.
  - 5) Any other relevant information
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