RESTRICTED

WORLD TRADE ORGANIZATION

G/RO/N/6

19 December 1995

(95-4103)

Committee on Rules of Origin

NOTIFICATIONS UNDER ARTICLE 5 AND PARAGRAPH 4 OF ANNEX II OF THE AGREEMENT ON RULES OF ORIGIN

A. Non-preferential rules of origin

1. Article 5.1 of the Agreement on Rules of Origin provides that each Member shall provide to the Secretariat, within 90 days after the date of entry into force of the WTO Agreement for it, its rules of origin, judicial decisions and administrative rulings of general application relating to rules of origin in effect on that date. If by inadvertence a rule of origin has not been provided, the Member concerned shall provide it immediately after this fact becomes known. Lists of information received and available within the Secretariat shall be circulated to the Members by the Secretariat.

2. Article 5.2 of the Agreement on Rules of Origin provides that during the period referred to in Article 2, Members introducing modifications, other than *de minimis* modifications, to their rules of origin or introducing new rules of origin, which, for the purpose of this Article, shall include any rule of origin referred to in paragraph 1 and not provided to the Secretariat, shall publish a notice to that effect at least 60 days before the entry into force of the modified or new rule in such a manner as to enable interested parties to become acquainted with the intention to modify a rule of origin or to introduce a new rule of origin, unless exceptional circumstances arise or threaten to arise for a Member. In these exceptional cases, the Member shall publish the modified or new rule as soon as possible.

3. Previous notifications received are listed in the G/RO/N/- series. As of 14 December 1995, further notifications have been received as follows[1]:

CHILE
(Notification in Spanish)

Chile does not have in its legislation, and therefore does not apply, non-preferential rules of origin.

MALAYSIA
(Notification in English)

Malaysia does not have any non-preferential rules of origin, judicial decisions or administrative rulings of general application relating to rules of origin.

[1]The notifications are available for consultation in the Secretariat (Market Access Division).

PHILIPPINES
(Notification in English)

The Philippines do not have any non-preferential rules of origin, judicial decisions or administrative rulings of general application relating to non-preferential rules of origin.

UNITED STATES
(Notification in English)

- 19 CFR Parts 10, 12, 102 and 178

  - Rules of Origin for Textile and Apparel Products; Final Rule.

B. Preferential rules of origin

1. Paragraph 4 of Annex II of the Agreement on Rules of Origin provides that Members shall provide to the Secretariat promptly their preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin in effect on the date of entry into force of the WTO Agreement for the Member concerned. Members shall provide any modifications to their preferential rules of origin or new preferential rules of origin as soon as possible to the Secretariat. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat.

2. Previous notifications received are listed in the G/RO/N/- series. As of 14 December 1995, further notifications have been received as follows:[2]

CANADA
(Notification in French and English)

- Determination of Country of Origin for the Purposes of Marking Goods (NAFTA countries) Regulations, amended. This document replaces, in its entirety, Appendix 1 of Customs Notice 843: New Country of Origin Marking Program (item 5 of the 30 March 1995 notification[3]). It incorporates the amendments to the NAFTA Marking Rules under that Appendix. The amendments take into account the public comments that were received following the request for comments when the original regulations were implemented on 1 January 1994. The amended regulations came into effect on 1 October 1995.

- NAFTA Rules of Origin Regulations, amended.[4] This document replaces, with the exception of Schedule I, the NAFTA Rules of Origin Regulations (item 9 of the 30 March 1995 notification[3]). The amended regulations have, pursuant to Article 511 of the NAFTA, been agreed by the NAFTA parties, and take into account public comments that were received following the request for comments when the original regulations were implemented on 1 January 1994. The regulations came into effect on 1 October 1995.

---

[2]The notifications are available for consultation in the Secretariat (Market Access Division).

[3]The table of contents of Canada's notification dated 30 March 1995 is contained in document G/RO/N/1/Add.1.

[4]A document identifying the amendments has also been received.

CHILE
(Notification in Spanish)

The Preferential Rules of Origin are contained in 1987 Resolution No. 78 of the Committee of Representatives of LAIA and apply only to members of the Latin American Integration Association.

The implementation of the Preferential Rules of Origin has been recognised in the international agreements signed by Chile in the framework of the Montevideo Treaty of 1980 establishing the Latin American Integration Agreement.

Agreements signed by Chile in the framework of LAIA applying rules of origin according to Resolution 78:

I. Preferential agreements adopted since 1987

- ACE 17 Agreement on Economic Complementarity (Chile-Mexico).
- ACE 23 Agreement on Economic Complementarity (Chile-Venezuela).
- ACE 24 Agreement on Economic Complementarity (Chile-Colombia).
- ACE 15 Agreement on Economic Complementarity (Chile-Ecuador).
- ACE 16 Agreement on Economic Complementarity (Chile-Argentina).
- ACE 22 Agreement on Economic Complementarity (Chile-Bolivia).
- AAR 4 Agreement on Regional Scope or Preferential Regional Tariffs (PAR), (applies to all LAIA members).

II. Agreements adopted before the approval of Resolution No. 78

For these agreements rules of origin similar to that of Resolution No. 78 are applied, differing only in certain formalities (format of the certificate of origin, presentation of the list of specific requirements, etc.).

- AAP 3 Agreement on Partial Scope (Chile-Brazil).
- AAP 26 Agreement on Partial Scope (Chile-Paraguay).
- AAP 28 Agreement on Partial Scope (Chile-Peru).
- ACE 4 Agreement on Economic Complementarity (Chile-Uruguay).

JAPAN
(Notification in Japanese with provisional translation into English)

Japan's Rules of Origin for Application of GSP

- Cabinet Order for Enforcement of the Temporary Tariff Measures Law; Articles 22-7, 22-8, 22-9, 22-10, 22-11 and 22-12.

- Ordinance of Ministry of Finance for Enforcement of the Temporary Tariff Measures Law: Articles 8, 9 and 10.

- Annex Table No. 2 of Cabinet Order for Enforcement of the Temporary Tariff Measures Law: list of products to which preference-giving country content rule is not applied.

- Annex Table of Ordinance of Ministry of Finance for Enforcement of the Temporary Tariff Measures Law: list of processed products for which the condition for origin country acknowledgement is specified.

SWITZERLAND[5]
(Notification in French)

- Document D30, Volumes I and II (Agreements on free trade, tariff preferences, origin of goods)[6] published by the Federal Customs Administration.

- Decisions of the Federal Court and the Federal Commission for Customs Appeals concerning the interpretation or application by the Federal Customs Administration of preferential rules of origin.

UNITED STATES
(Notification in English)

- 19 CFR Parts 10, 12, 24 *et al*.

  - North American Free Trade Agreement (NAFTA): Implementation of Interim Amendments; Final Rule.

  - Regulatory Standards for Implementation of the North American Free Trade Agreement; Notice.

---

[5]The Order on rules of origin governing the granting of preferential tariffs to developing countries of 7 December 1987 (RS 946.39) shall be notified to the Secretariat as soon as it has been revised.

[6]These documents reflect a situation which has been partly modified by recent developments, with consequences in particular concerning preferential rules of origin. With reference in particular to the free-trade agreements recently concluded by Switzerland and the implications of the accession of Austria, Finland and Sweden to the European Union, this notification will shortly be amended by the issue of corrigenda. These amendments shall be notified to the Secretariat in due course.