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Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER ARTICLE 5 AND PARAGRAPH 4 OF
ANNEX II TO THE AGREEMENT ON RULES OF ORIGIN**

NON-PREFERENTIAL AND PREFERENTIAL RULES OF ORIGIN

1.1. According to Article 5.1 of the Agreement on Rules of Origin, 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. Article 5.2 of the Agreement provides, moreover, 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, 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.

1.2. Furthermore, paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall promptly provide to the Secretariat their existing or new 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 this respect, the Committee on Rules of Origin further agreed that notifications made to the Committee on Regional Trade Agreements (CRTA) or the Committee on Trade and Development (CTD) could also suffice to discharge Members' notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had been initially received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. Information regarding such notifications, including related to preferential rules of origin, can also be obtained through the WTO database on regional trade agreements (<http://rtais.wto.org>) or the WTO database on preferential trade agreements (<http://ptadb.wto.org>).

1.3. With reference to these rules, the following notification has been received:

AFGHANISTAN

(Notification in English)

A. NON-PREFERENTIAL RULES OF ORIGIN

- Chapter 6 "Origin of Goods" (Articles 29-33) of the Customs Law of 2004, in force since 30 March 2005. Chapter 6 includes provisions on the determination of the origin of wholly obtained and non-wholly obtained goods (transformation), certificates of origin, preferential origin and on the return of goods.

The text of the Customs Law, including Chapter 6, can be consulted on the official website of the Afghanistan Customs Department: <http://customs.mof.gov.af/fa> (Dari) and <http://customs.mof.gov.af/en> (English)

- The responsible structures in the Government of Afghanistan have adopted the Procedure on Advance Rulings on Binding Decisions (covering advance origin rulings), in March 2015. The Procedure will enter into force in August 2017.

B. PREFERENTIAL RULES OF ORIGIN

- South Asian Free Trade Area (SAFTA) Agreement

Signed by Afghanistan (LDC), Bangladesh (LDC), Bhutan (LDC), India, Maldives (LDC), Nepal (LDC), Pakistan and Sri Lanka and in force for Afghanistan since 7 August 2011.

According to Article 18 of the SAFTA Agreement, the rules of origin as well as the methods of administrative co-operation that govern the Agreement are set out in Annex-IV, the Product Specific Rules are listed in Annex-A and the Operational Certification Procedures, including the SAFTA Certificate of Origin and the Format for Exchange of Information on Issuance of SAFTA Certificate of Origin are contained in Annex-B.

The text of the Agreement, including Annexes IV, A and B can be consulted on the official website of the South Asian Association for Regional Cooperation (SAARC):

http://saarc-sec.org/areaofcooperation/detail.php?activity_id=5
