GENERALIZED SYSTEM OF PREFERENCES

Notification by Finland

Addendum

In a communication dated 20 January 1981, the delegation of Finland has notified the following amendments to the GSP origin rules of Finland¹ for the information of contracting parties.

The Decision of the Ministry of Finance No. 358/78 on the GSP origin rules has been amended by Decision No. 738/80. The new provisions entered into force on 1 December 1980 and they concern the procedure for importation of GSP goods via EEC countries or preference-giving EFTA countries into Finland and vice versa. The provisions are similar to those applied by the EEC and preference-giving EFTA countries.

The provisions enable GSP goods to be imported into Finland under cover of a replacement certificate issued in an EEC country or in a preference-giving EFTA country, i.e. Austria, Norway, Sweden or Switzerland, on the basis of an original certificate of origin (Form A) provided that the goods have remained under Customs control and they have not entered into trade or consumption and that they have not undergone any operation other than unloading and loading or any operation required to keep them in good condition in the EEC or in the mentioned EFTA countries.

On the other hand a replacement certificate can be issued also to GSP goods to be re-exported from Finland to EEC countries or preference-giving EFTA countries under the conditions prescribed above.

The full text of the relevant provisions of the Finnish rules of origin is attached.

¹Cf. L/3694/Add.8, Annex IV
Decision of the Ministry of Finance

No. 358/78

on the conditions and requirements to be met for the application
of the duty and import levy preferences reserved for
products originating in developing countries
as amended by Decree No. 738/80

Article 6

The claim for the GSP treatment must be supported by the submission of a certificate of origin (Form A) endorsed by a governmental authority in the country of origin. The certificate of origin shall be endorsed only after application in writing by the exporter or his representative (preferably by using Form B). The exporter or his representative shall attach to his request any document proving that the goods to be exported are such as to qualify them for the endorsement of a certificate of origin.

It shall be the responsibility of the relevant governmental authority of the exporting developing country to ensure that the application form is duly completed.

The claim for GSP treatment may also be supported by the submission of a certificate of origin (Form A) endorsed by Customs authorities of a member country of the European Economic Community or the European Free Trade Association on the basis of a certificate of origin (Form A) endorsed by Customs authorities of the exporting developing country, provided that the goods have been transported into Finland as provided for in Article 5 paragraph 3 and that they also otherwise fulfil the conditions of this decision. It is also required that in the member countries of the European Economic Community and the European Free Trade Association a corresponding procedure is applied for goods of developing countries when re-exported from Finland and that Customs authorities in these countries assist Finnish Customs authorities in verifying the certificates of origin (Form A) they have endorsed.

The certificate of origin must conform to the specimen appended to this Decision. It shall be made out in English or French. It shall be typewritten or handwritten; in the latter case, it shall be written in ink using print-script.

The dimensions of the certificate of origin shall be 210 mm x 297 mm. The paper shall be white sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a green machine-turned background pattern making a falsification by mechanical or chemical means apparent to the eye.
Each certificate shall bear a serial number by which it can be identified.

Since the certificate constitutes the documentary evidence for the application of the provisions of the tariff preferences it shall be the responsibility of the relevant governmental authority of the exporting developing country to carefully verify the origin of the goods and to check the other statements on the certificate.

Article 6a

Finnish Customs authorities may endorse a certificate of origin (Form A) on the basis of a certificate of origin (Form A) endorsed by Customs authorities of an exporting developing country when goods are re-exported into a member country of the European Economic Community or the European Free Trade Association, provided that the goods have remained under Customs control in Finland and that in respect of them the conditions of Article 5 have also otherwise been complied with, as applicable.

In cases referred to in paragraph 1 the Board of Customs may, on request, send a copy of the certificate of origin endorsed in the exporting developing country to the Customs authorities of the country of destination for their use.

Article 12

The correctness of the certificates of origin may be verified retroactively either at random or whenever there is reason to doubt the authenticity of the certificate or the accuracy of the information regarding the origin of the goods in question.

For this purpose, the Board of Customs shall return the certificate of origin (Form A to the relevant governmental authority of the exporting developing country giving the formal or substantive reasons for the enquiry.

Where verification of a certificate of origin has been requested in compliance with this decision, the verification shall be carried out and the results of verification shall be communicated to the Finnish Customs authorities within three months and in cases referred to in Article 6 paragraph 3 within five months. These results must be such as to make it possible to determine whether the contested certificate of origin applies to the goods actually exported, and whether these goods can, in fact qualify for the application of these provisions.

This decision shall enter into force on 1 December 1980.