



December 2014.

Certificates of Origin.

This notice is to remind **ALL** exporters of the importance of correct declarations of country of origin on European Community Certificate of Origin forms, and the legal responsibility for the declarations.

As part of a continuing review of standards at the Northamptonshire Chamber, we will be placing increased emphasis on evidence checking the declarations of originating country in the coming year.

For Non Preferential Origin : a) Where a product was grown or produced in the case of animal/fish/ vegetable and mineral products (wholly produced).

b) The place where the last substantial process or manufacture of the product took place-that is; manufactured or part produced in the UK/ a process which changes the tariff classification code/ a process where significant value has been added as example, capital equipment, labour, etc.

c) Foreign Origin.

It is **NOT** permitted to state United Kingdom Origin for goods that have as example:

- a) Goods that have been imported and repacked.
- b) Goods that have been imported and sorted and simple cleaning/ attaching labels.
- c) Goods that have been imported and simple operations such as testing, checking or simple assembly, simple calibrations.
- d) Buying from suppliers in the UK does not mean the goods are UK origin.
- e) Please download a copy of the New Standard Rules, which have been amended to reflect current practices and procedures as well as the changes in requirement for foreign evidence. Please make all staff applying for documents aware of the changes.
- f) Please note: Formal Undertakings/signature lists are in place with the local chamber.

- g) Be aware: Your declarations are legal declarations and Certificates of Origin in the United Kingdom are issued by Chambers of Commerce on behalf of HM Government.

When the Formal Undertaking is signed by the 'Proprietor, Partner, Director or Secretary' , in the case of Secretary we mean Company Secretary.

h) EU RULING ON ORIGIN DEFINITION below:

European Union law defines Origin for the certification service and sets out the rules by which it is applied to goods.

The European Community regulations have two sets of rules which can be used to determine the origin of goods. The rules relate to Preferential Origin and Non-Preferential Origin. The rules which apply to any export transaction are dependant on the destination of the shipment.

European Community regulations 2913/92 and 2454/93 relate to the origin of non-preferential goods. Among other things they define the rules to be used when establishing the origin of products.

Regulation 2913/92, establishing the Community Customs Code, defines the criteria which allows goods to originate in a country. It lays down the rules for a variety of product types.

Regulation 2454/93 lays down provisions for the implementation of 2913/92, establishing the Community Customs Code and includes the rules governing the issuing of Certificates of Origin.

The Certificate of Origin application has three options for stating the origin of the goods that it relates to. These are: 1. Goods wholly produced in the E.C.

2. Goods partly produced in the E.C.

3. Goods of Foreign origin.

Article 23 of Council regulation 2913/92 specifies the criteria defining the term wholly produced. Article 23 states: Goods originating in a country shall be goods wholly produced in that country. It then lists ten criteria that define the term "Wholly Produced"

for a variety of types of goods. The criteria laid down by article 23 depends on the precise nature of goods concerned.

Article 24 of Council regulation 2913/92 specifies the criteria for goods which are the produce of more than one country. For goods partly produced in the E.C., Article 24 means that, for most types of goods, although goods are not wholly produced in one country, the place where the last substantial economically justified process is carried out on the goods is the origin of the goods.

There are however, exceptions to this. Certain types of goods have specific processes only which are allowed to confer origin. There are also specific workings or processes which are not permitted to confer origin status, these are set out in article 38 of regulation 2454/93.

(Goods of mixed origin where all components are of E.C. origin must only be marked as European Community origin. No reference can be made to any member state).

Article 25 makes it clear that where such processes appear to be carried out for the sole purpose of circumventing the provisions of the regulations they shall not be deemed to take origin of the place where the process is carried out.

Article 26 of Council regulation 2913/92 specifies that the customs authorities in the country of importation can request additional evidence to support the Certificate of Origin where they have serious doubts about the document.

Goods not designated as being of European Community origin are classified as being of Foreign Origin. Goods designated as being of foreign origin must show the name of the originating country. It is not permitted to refer to a group of countries or geographic region. The actual name of the country of origin must appear.

Kind Regards

Brigid Hodgkinson

International Trade Manager

Northamptonshire Chamber of Commerce