

CPTPP Committee on Rules of Origin and Origin Procedures

Committee Report

1. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Committee on Rules of Origin and Origin Procedures (ROO) was held virtually on 29th – 30th June 2021. Delegates from the following CPTPP members participated: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Viet Nam. Ms. ONISHI Tomoko of the Ministry of Foreign Affairs of Japan chaired the Committee.
2. The Committee agenda is attached at **ANNEX A**.
3. A summary of the Committee’s discussion and any outcomes agreed under the respective agenda items is set out below.
4. AGENDA ITEM 1: The Agenda of the Committee was adopted as **ANNEX A**.
5. AGENDA ITEM 2: The Committee decided to adopt the CPTPP-Commission’s Rules of Procedure (CPTPP/COM/2019/D005) as applicable to Committee on ROO. The Committee noted that a report may be confidential if so agreed by the Parties in accordance with paragraph 6 of the Rules of Procedure.
6. AGENDA ITEM 3: Members exchanged views and their experiences in the implementation of the ROO Chapter.

(1) Certification of Origin implementation

Members discussed the administration of the (Origin Criterion) field of the Certification of Origin. It appears that the members’ applications of the origin criterion field are at varying degrees of flexibility. Furthermore, some members confirmed that this could result in a claim for preferential tariff treatment being denied if the origin criterion noted is not specific enough. Considering this, in order to promote acceptance of the Certification of Origin by the importing Party, some members recommended that the certifier be as specific as possible in completing this element when certifying the origin of the good. Despite variances in application of the “origin criterion” element, the Committee agrees on the importance of transparency in accordance with domestic laws and regulations

relating to the certification of origin. The Committee will continue discussion on this issue.

(2) Electronic Certification of Origin

Members exchanged their practices regarding the acceptance of electronic Certification of Origin.

All Members who shared their information have already accepted, or are ready to accept, the electronic Certification of Origin under CPTPP in such manners as scanned copies in PDF format and electronic signature. For the sake of transparency for business, members further confirmed to share a summary of information on each member's administration of electronic Certification of Origin, as attached hereto as **ANNEX B**.

(3) The implementation of verification procedure

For those members that apply Annex 3-A, and that request assistance of the exporting Party under paragraph 9 of Annex 3-A during a verification of origin, a request was made to identify the communication channel used for this practice. The Committee decided to exchange additional information concerning those members that apply that provision.

(4) Other issues

A member shared its experience where a customs authority of a Party mistakenly denied the claim for preferential tariff treatment under CPTPP due to insufficient knowledge of the Agreement. In order to avoid claims for preferential tariff treatment being denied in error, a member emphasized the importance of promoting understanding of the Agreement for all relevant officers administering the Agreement and that Parties continue to consult quickly to resolve these issues when they arise.

7. AGENDA ITEM 4: The Committee shared the understanding that PSR transposition is a neutral, technical update that does not represent a substantive change to Annex 3-D. Some members indicated a preference that the PSR update be undertaken in accordance with subparagraph 2(c) of Article 27.2. Others noted that this would necessitate the use of complex and time-consuming domestic procedures and therefore suggested that the members rely upon subparagraph 2(d) of Article 27.2. The Chair asked members to consult internally on these alternatives with a view to reaching a solution at the next intersessional meeting.

Apart from the issue on the implementation procedures, members confirmed to have informal meetings intersessionally to discuss and finalize the transposition work.

8. AGENDA ITEM 5: No issues were raised.

9. AGENDA ITEM 6: The next meeting will be held in 2022 under the Chair by Singapore, and the timing is to be communicated and determined via emails.

10. AGENDA ITEM 7: The Committee agreed to finalize its report by correspondence.

ANNEX A

CPTPP Committee on Rules of Origin and Origin Procedures

AGENDA	
Date and Time:	29 th – 30 th June 2021, 9:00 am(Tokyo Time)
Venue:	Video-Conference
Day 1	
ITEM 1:	Adoption of the Agenda
ITEM 2:	Rules of Procedure
ITEM 3:	Review of Operation/Implementation of Chapter 3 on Rules of Origin and Origin Procedures
Day 2	
ITEM 4:	PSR transposition
ITEM 5:	Other issues
ITEM 6:	Next Meeting
ITEM 7:	Committee report

ANNEX B

Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

Acceptance of Certification of Origin documentation in electronic format

Background

The second meeting of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Committee on Rules of Origin and Origin Procedures was held virtually on July 31st and August 3rd, 2020 (Mexico time).

The meeting discussed the importance of facilitating trade through submission of Certification of Origin documentation in electronic format. Article 3.20 of Chapter 3 of the CPTPP Agreement states that *'each Party shall provide that a Certification of Origin be in writing; including electronic format'*.

The impacts of COVID-19 on international trade and supply chains, has led among other things, to a slump in international air travel which has diminished air freight capacity, including courier services, and increased costs for traders. Traditional approaches of submitting original trade documentation has become increasingly more difficult for traders. Additionally, CPTPP Ministers and senior officials released a joint statement which commits to *'work together toward post-COVID-19 economic recovery, including through our ongoing work to establish and strengthen supply chains, and to examine ways the CPTPP could be utilised to facilitate digital trade responses to COVID-19'*. Therefore, ensuring a uniform approach across CPTPP members to accept origin documentation in electronic format is an approach that facilitates trade and strengthens traditional supply chains.

The template below aims to document member's current procedures to implement this arrangement under CPTPP and is intended to make available to the public.

ACCEPTANCE OF CERTIFICATION OF ORIGIN IN ELECTRONIC FORMAT

As of 9th September, 2021

CPTPP signatories(*)	1. Acceptable formats of electronic Certificate of Origin	2. How to submit the electronic Certificate of Origin to the customs	3. Technical requirements	4. Remarks
EXAMPLE	PDF JPG Email text Data XML	The member's customs declaration system Email	Resolution Color	
Australia	Easily accessible, common file formats such as PDF and JPG which may include scanned PDF, digitally generated document with electronic or scanned signature or an image/picture format. These can be in an unencrypted zip or rar file without a password.	Upon request by Australian Border Force (ABF), the document can be emailed directly to the ABF.	Clearly legible. Retain the integrity of information – such as signatures and seals.	
Brunei Darussalam	TBC	TBC	TBC	TBC
Canada	Scanned PDF E-Certificates: electronic representation of a cursive signature	Email	None	Refer to Departmental Memoranda D11-4-14 - Certification of Origin Under Free Trade Agreements. Be advised that this information will be moved to D11-4-2 - Proof of Origin of Imported Goods.
Chile	Scanned copy, printed, or digitally published in PDF or JPG format for manual or electronic documents folder as appropriate. Due to the health contingency, the National	For the processing of customs destinations, the customs broker must have the electronic certificate of origin, to attach it to the document folder (manual or	Clearly printed and legible	

	Director of Customs authorized, through Exempt Resolution 1179 of 2020, the processing of the different foreign trade operations with documents received by email, without prejudice to the fact that within 30 days after the resolution is left without effect, that is, when the contingency ends, the original antecedents must be collected.	electronic) and present it to the National Customs Service if required. Due to the health contingency and depending on the type of procedure, the presentation of the document folder can be by email.		
Japan	Scanned copy, Digitally published PDF or other picture format	Through Japan's customs declaration system (NACCS)	-Colored (not monochrome) -With resolution of 200dpi or more -Clearly printed and readable	
Malaysia	Once the CPTPP enters into force for Malaysia, Certification of Origin (CO) has to be scanned and converted to common image formats such as PDF/JPG. The electronic Certificate of Origin (PDF/JPG) can be emailed to the importer for the purpose of submission to Royal Malaysian Customs Department.	The importer can submit the electronic CO by providing a printed copy of the CO or through an email.	- Clearly printed and readable. - Colored or monochrome. (resolution of 200dpi or more)	
Mexico	Scanned copy, PDF, or another format that allows the clear validation of the document.	Through the Mexican Single Window for Foreign Trade (VUCEM)	-Clearly electronically printed and readable	
New Zealand	Scanned PDF E-Certificates: electronic representation of a cursive signature	Email	None	

Peru	Certification of Origin has to be scanned and converted to common image formats such as PDF and JPG	The importer or customs broker must attach the certificate of origin along with the other documents that support the importation of the goods at the time of numbering the customs declaration with the claim for preferential tariff treatment through the customs system	Clearly legible	
Singapore	Certification of Origin has to be scanned and converted to common image formats such as PDF, JPG, DOC and emailed to Singapore Customs	Email the documents to Customs_pref_doc@customs.gov.sg	Clearly printed and legible	
Vietnam	Vietnam accepts certificates of origin in electronic format which are sent to importers through management systems of corporations or other electronic methods. Suggested acceptable formats of electronic Certificate of Origin: scanned copy in PDF or other picture formats.	The customs declarers submit these self-certificates of origin by attaching the import customs declaration through the customs electronic data processing system.	Technical requirements align with the relevant FTA's requirements (if any applicable), there is no domestic requirement.	

(*)Signatories include members for which this Agreement has not entered into force.