

ANNEX 2-D

TARIFF SCHEDULE OF CHILE

GENERAL NOTES

1. The provisions of this Schedule are generally expressed in terms of the Customs Tariff Schedule of Chile (*Arancel Aduanero Chileno*), HS 2012 (*SA 2012*), and the interpretation of the provisions of this Schedule, including the product coverage of subheadings of this Schedule, shall be governed by the General Notes, Section Notes and Chapter Notes of the Customs Tariff Schedule of Chile (*Arancel Aduanero Chileno*). To the extent that provisions of this Schedule are identical to the corresponding provisions of the Customs Tariff Schedule of Chile (*Arancel Aduanero Chileno*), the provisions of this Schedule shall have the same meaning as the corresponding provisions of the Customs Tariff Schedule of Chile (*Arancel Aduanero Chileno*).
2. The base rates of duty set out in this Schedule reflect Chile's Most-Favoured-Nation (MFN) rates of duty in effect on January 1, 2010.
3. In this Schedule, rates of duty expressed in monetary units shall be rounded to the nearest hundredth of a Chilean Peso.
4. The following staging categories shall apply to the elimination or reduction of customs duties by Chile pursuant to Article 2.4.2 (Elimination of Customs Duties):
 - (a) customs duties on originating goods provided for in the items in staging category EIF shall be eliminated entirely, and these goods shall be duty-free on the date of entry into force of this Agreement for Chile;
 - (b) customs duties on originating goods provided for in the items in staging category B4 shall be eliminated in four annual stages, and these goods shall be duty-free effective January 1 of year 4;
 - (c) customs duties on originating goods provided for in the items in staging category B8 shall be eliminated in eight annual stages, and these goods shall be duty-free effective January 1 of year 8;
 - (d) customs duties on originating goods provided for in the items in staging category CL-AU FTA-Wheat shall be as established for the

same items in the *Chile-Australia Free Trade Agreement*, done at Canberra, July 30, 2008;

- (e) customs duties on originating goods provided for in the items in staging category CL-AU FTA-Sugar shall be as established for the same items in the *Chile-Australia Free Trade Agreement*, done at Canberra, July 30, 2008;
- (f) customs duties on originating goods provided for in the items in staging category CL-P4-Wheat shall be eliminated subject to the conditions for the same items in the *Trans-Pacific Strategic Economic Partnership Agreement (P4)*, done at Wellington, July 18, 2005;
- (g) customs duties on originating goods provided for in the items in staging category CL-P4-Sugar shall be eliminated subject to the conditions for the same items in the *Trans-Pacific Strategic Economic Partnership Agreement (P4)*, done at Wellington, July 18, 2005;
- (h) customs duties on originating goods provided for in the items in staging category CL-CA FTA-Wheat shall be as established for the same items in the *Canada-Chile Free Trade Agreement*, done at Santiago, December 5, 1996;
- (i) customs duties on originating goods provided for in the items in staging category CL-CA FTA-Sugar shall be as established for the same items in the *Canada-Chile Free Trade Agreement*, done at Santiago, December 5, 1996;
- (j) customs duties on originating goods provided for in the items in staging category CL-JP SEP-Wheat shall be as established for the same items in the *Agreement between Japan and the Republic of Chile for a Strategic Economic Partnership*, done at Tokyo, March, 27, 2007;
- (k) customs duties on originating goods provided for in the items in staging category CL-JP SEP-Sugar shall be as established for the same items in the *Agreement between Japan and the Republic of Chile for a Strategic Economic Partnership*, done at Tokyo, March, 27, 2007;
- (l) customs duties on originating goods provided for in the items in staging category CL-MY-Wheat shall be eliminated at entry into force of this Agreement for Chile and Malaysia for the *ad valorem* component only. The specific duty shall apply as provided for in Law 18.525 or its successor;

- (m) customs duties on originating goods provided for in the items in staging category CL-MY-Sugar shall be eliminated at entry into force of this Agreement for Chile and Malaysia for the *ad valorem* component only. The specific duty shall apply as provided for in Law 18.525 or its successor;
- (n) customs duties on originating goods provided for in the items in staging category CL-MX FTA-Wheat shall be as established for the same items in the *Free Trade Agreement between the Republic of Chile and the United Mexican States* (ACE-N°41), done at Santiago, April 17, 1998;
- (o) customs duties on originating goods provided for in the items in staging category CL-MX FTA-Sugar shall be as established for the same items in the *Free Trade Agreement between the Republic of Chile and the United Mexican States* (ACE-N°41), done at Santiago, April 17, 1998;
- (p) customs duties on originating goods provided for in the items in staging category CL-PE FTA-Wheat shall be as established for the same items in the *Chile-Peru Free Trade Agreement* (ACE-N°38), done at Lima, August 22, 2006;
- (q) customs duties on originating goods provided for in the items in staging category CL-PE FTA-Sugar shall be as established for the same items in the *Chile-Peru Free Trade Agreement* (ACE-N°38), done at Lima, August 22, 2006;
- (r) customs duties on originating goods provided for in the items in staging category CL-US FTA-Wheat shall be as established for the same items in the *Chile-United States Free Trade Agreement*, done at Miami, June 6, 2003;
- (s) customs duties on originating goods provided for in the items in staging category CL-US FTA-Sugar shall be as established and subject to the conditions for the same items in the *Chile-United States Free Trade Agreement*, done at Miami, June 6, 2003;
- (t) customs duties on originating goods provided for in the items in staging category CL-VN-Wheat shall be eliminated at entry into force of this Agreement for Chile and Viet Nam for the *ad valorem* component only. The specific duty shall apply as provided for in Law 18.525 or its successor;
- (u) customs duties on originating goods provided for in the items in staging category CL-VN-Sugar shall be eliminated at entry into

force of this Agreement for Chile and Viet Nam for the *ad valorem* component only. The specific duty shall apply as provided for in Law 18.525 or its successor; and

- (v) customs duties on originating goods provided for in the items in staging category CL-MFN shall be the Most-Favoured-Nation rate of duty.

5. The annual stages referred to in paragraph 4 for the elimination or reduction of customs duties shall be equal, annual stages, except:

- (a) as provided in paragraphs 3(b)(i), 4(a)(ii) and 4(b)(ii) in Section A of this Annex; or
- (b) as otherwise provided in paragraph 4.

6. (a) Upon request from Japan, Chile and Japan shall consult to consider Chile's commitments to Japan regarding treatment of originating goods related to the application of customs duties, tariff rate quotas and safeguards in this Schedule no sooner than seven years after the date of entry into force of this Agreement for Chile and Japan, with a view to increasing market access.

- (b) Following completion of applicable legal procedures by Chile and another State or customs territory necessary for entry into force of an international agreement, or an amendment thereto, granting preferential market access by Chile to that other State or customs territory, and on request of Japan, Chile and Japan shall consult to consider Chile's commitments to Japan regarding treatment of originating goods related to the application of customs duties, tariff rate quotas and safeguards in this Schedule, with a view to providing to the originating goods treatment equivalent to that provided to goods classified in the same tariff lines under the international agreement. Chile and Japan shall consult no later than one month after the date of the request, unless Chile and Japan agree otherwise.

- (c) For greater certainty, nothing in this paragraph shall be construed to affect the rights or obligations of Chile under any other provision of this Agreement.