

## **APPENDIX A**

### **TARIFF RATE QUOTAS OF MALAYSIA**

#### **Section A: General Provisions**

1. This Appendix sets out the modifications to the Malaysian Customs Duties Order (MCDO) that reflect the TRQs that Malaysia shall apply to certain originating goods under this Agreement. In particular, originating goods of Parties included under this Appendix shall be subject to the rates of duty set out in this Appendix in lieu of the rates of duty specified in Chapters 1 through 97 of the MCDO. Notwithstanding any other provision of the MCDO, originating goods of a Party in the quantities described in this Appendix shall be permitted entry into the territory of Malaysia as provided in this Appendix. Furthermore, any quantity of originating goods imported from a Party under a TRQ provided for in this Appendix shall not be counted toward the in-quota quantity of any TRQ provided for such goods under Malaysia's WTO tariff schedule or any other trade agreement.
2. The product or products covered by each TRQ set out in Section B are informally identified in the title to the paragraph setting out the TRQ. These titles are included solely to assist readers in understanding this Appendix and shall not alter or supersede the coverage for each TRQ established through identification of covered codes of the Harmonized Schedule of Malaysia.
3. Malaysia shall administer all TRQs provided for in this Agreement through an import licensing system.
4. Each TRQ set out below in Section B of this Appendix shall apply to an aggregate quantity of originating goods.
5. For the purposes of this Appendix, the term "kilogramme" shall be abbreviated as "kg". The term "unit", referred to in TRQ-MY 12 through TRQ-MY15 means one egg, and shall be abbreviated as "u".

## Section B: TRQs

### 6. **TRQ-MY1: Live Poultry, Fowls of the Species Gallus Domesticus, Weighing Not More Than 185g; Other**

- (a) The TRQ described in this paragraph is designated in the Schedule of Malaysia to Annex 2-D (Tariff Commitments) with the designation “TRQ-MY1”.
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (head)
1	2,000,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 16 equal annual stages<sup>1</sup>, from the Base Rate of 20 per cent to 10 per cent, and these duties shall remain at 10 per cent effective January 1 of year 16.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 010511900.

### 7. **TRQ-MY2: Live Poultry, Fowls of the Species Gallus Domesticus, Weighing Not More Than 2,000g**

- (a) The TRQ described in this paragraph is designated in Malaysia’s Schedule to Annex 2-D (Tariff Commitments) as “TRQ-MY2”.
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

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<sup>1</sup> References to “equal annual stages” in this Appendix mean equal, annual stages except as provided in paragraphs 3(b)(i), 4(a)(ii) and 4(b)(ii) in Section A of Annex 2-D.

Year	Quantity (head)
1	30,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in six equal annual stages, from the Base Rate of 20 per cent to 10 per cent, and these duties shall remain at 10 per cent effective January 1 of year 6.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 010594190.

**8. TRQ-MY3: Meat of Swine, Fresh Or Chilled – Carcasses and Half-Carcasses**

- (a) The TRQ described in this paragraph is designated in Malaysia’s Schedule to Annex 2-D (Tariff Commitments) as “TRQ-MY3”.
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	2,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with staging category B16 in the General Notes to the Schedule of Malaysia to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020311000.

9. **TRQ-MY4: Meat of Swine, Frozen – Carcasses and Half-Carcasses**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY4".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	200,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with staging category B16 in the General Notes to the Schedule of Malaysia to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020321000.

10. **TRQ-MY5: Meat of Fowls of the Species Gallus Domesticus Not Cut in Pieces, Fresh or Chilled**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY5".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	2,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 16 equal annual stages, from

the Base Rate of 40 per cent to 20 per cent, and these duties shall remain at 20 per cent effective January 1 of year 16.

- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020711000.

**11. TRQ-MY6: Meat of Fowls of the Species Gallus Domesticus Not Cut in Pieces, Frozen**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY6".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	400,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 16 equal annual stages, from the Base Rate of 40 per cent to 20 per cent, and these duties shall remain at 20 per cent effective January 1 of year 16.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020712000.

**12. TRQ-MY7: Edible Cuts and Offal of the Species Gallus Domesticus, Fresh or Chilled**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY7".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	50,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in six equal annual stages, from the Base Rate of 40 per cent to 20 per cent, and these duties shall remain at 20 per cent effective January 1 of year 6.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020713000.

**13. TRQ-MY8: Edible Cuts and Offal of the Species Gallus Domesticus, Frozen**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY8".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (kg)
1	20,000,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 11 equal annual stages, from the Base Rate of 40 per cent to 20 per cent, and these duties shall remain at 20 per cent effective January 1 of year 11.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 020714000.

**14. TRQ-MY9: Milk, of a Fat Content, By Weight, Not Exceeding 1 Per Cent: In Liquid Form**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY9".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (litres)
1	300,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with staging category B16 in the General Notes to the Schedule of Malaysia to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 040110100.

**15. TRQ-MY10: Milk, of a Fat Content, By Weight, Exceeding 1 Per Cent but Not Exceeding 6 Per Cent: In Liquid Form**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY10".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (litres)
1	2,000,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with staging

category B16 in the General Notes to the Schedule of Malaysia to Annex 2-D (Tariff Commitments).

- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 040120100.

**16. TRQ-MY11: Milk, of a Fat Content, By Weight, Exceeding 6 Per Cent: In Liquid Form**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY11".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (litres)
1	1,000,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with staging category B16 in the General Notes to the Schedule of Malaysia to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 040140110.

**17. TRQ-MY12: Fertilised Eggs for Incubation: Of Fowls of the Species Gallus Domesticus**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY12".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (u)
1	70,000



Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 11 equal annual stages, from the Base Rate of 50 per cent to 25 per cent, and these duties shall remain at 25 per cent effective January 1 of year 11.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 040711000.

**18. TRQ-MY13: Fertilised Eggs For Incubation: Of Ducks**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY13".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (u)
1	70,000

Starting in year 2, the quantity shall increase by one per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 11 equal annual stages, from the Base Rate of 50 per cent to 25 per cent, and these duties shall remain at 25 per cent effective January 1 of year 11.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provision: 040719100.

**19. TRQ-MY14: Other Eggs: Of Fowls of the Species Gallus Domesticus**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY14".

- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (u)
1	200,000

Starting in year 2, the quantity shall increase by 1 per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 11 equal annual stages, from the Base Rate of 50 per cent to 25 per cent, and these duties shall remain at 25 per cent effective January 1 of year 11.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provisions: 040721000 and 040790100.

**20. TRQ-MY15: Other Eggs: Of Ducks**

- (a) The TRQ described in this paragraph is designated in Malaysia's Schedule to Annex 2-D (Tariff Commitments) as "TRQ-MY15".
- (b) The aggregate quantity of originating goods described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Quantity (u)
1	200,000

Starting in year 2, the quantity shall increase by 1 per cent per year, compounded annually.

- (c) Customs duties on originating goods described in subparagraph (d) entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be reduced in 11 equal annual stages, from the Base Rate of 50 per cent to 25 per cent, and these duties shall remain at 25 per cent effective January 1 of year 11.
- (d) Subparagraphs (a) through (c) apply to the following MCDO provisions: 040729100 and 040790200.