

4th COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP (CPTPP) COMMITTEE ON RULES OF ORIGIN AND ORIGIN PROCEDURES

COMMITTEE REPORT

1. The 4th meeting of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Committee on Rules of Origin and Origin Procedures was convened virtually on 13th July 2022. Delegates from the following CPTPP Members were present at the meeting: Australia, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Viet Nam. The meeting was chaired by Mr. Yap Jun Hong, Senior Assistant Director from the Ministry of Trade and Industry, Singapore.

2. The agenda of the Committee meeting is attached in **Annex A**, and a summary of the Committee's discussions, as well as any outcomes under the respective agenda items are set out below.

AGENDA ITEM 1: ADOPTION OF THE AGENDA

3. The Committee decided to adopt the agenda.

AGENDA ITEM 2: REVIEW OF OPERATION/IMPLEMENTATION OF CHAPTER 3 ON RULES OF ORIGIN AND ORIGIN PROCEDURES

4. Stemming from previous Committee meetings, Members undertook further discussion on the implementation of Annex 3B (Minimum Data Requirements) of the certification of origin. To move forward on a common understanding and approach on this issue, Members discussed the possibility of deciding on a set of key principles for the implementation of certification of origin, which was not meant to create new legal interpretation nor obligation. Members decided to further discuss this intersessionally via email correspondence.

5. Members updated and exchanged views on the ongoing UK accession process.

6. A Member shared its experience where a trader's certification of origin was rejected by another Member's customs authority, with the reason given that the certification of origin did not follow the designated format. The Member highlighted that such an event should not have happened given that there was no prescribed format required under the CPTPP. To avoid such incidences in the future, the Member emphasised the importance of promoting understanding of the CPTPP for all relevant officers administering the Agreement.

AGENDA ITEM 3: PRODUCT SPECIFIC RULES (PSR) TRANSPOSITION

7. On the transposition work for the product specific rules (PSRs) from HS 2012 to HS 2017 nomenclature, the Chair would circulate a list of outstanding items for Members' views intersessionally via email correspondence. Members decided to submit their comments on these outstanding items by 15 August 2022 and aims to resolve by the CPTPP Commission in October. Looking ahead to the transposition from HS 2017 to HS 2022 nomenclature, New Zealand volunteered to prepare a first draft of the transposition work for Members' views.

8. Members undertook further discussions on the appropriate modality for the implementation of the eventual transposed PSR. Some Members strongly suggested implementing the transposed PSR as arrangements for implementing the Agreement in accordance with paragraph 2(d) of Article 27.2 to avoid complex and time-consuming domestic legal procedures. Members also discussed whether the HS 2017 PSR schedule would be implemented or used only as a basis for further transposition work to the HS 2022 nomenclature, with the eventual HS 2022 PSR schedule to be the version that would be implemented instead. The Committee decided to continue discussions on these issues intersessionally, with a view to ideally starting the implementation of HS2022 by January 2024. Japan highlighted that a sufficient lead time would be necessary from the endorsement and announcement of the transposed PSR to its implementation.

AGENDA ITEM 4: OTHER MATTERS

9. Malaysia provided an update on their ratification process of the CPTPP, which includes the submission of instrument for ratification by the third quarter of 2022. At the time of entry into force of this Agreement, Malaysia had also indicated the intention to issue Certification of Origin (COO) for its exports by competent authority, as stipulated in Annex 3-A (Other Arrangements) of Chapter 3.

AGENDA ITEM 5: NEXT MEETING

10. New Zealand, as the next Chair of the CPTPP Commission, updated that it would provide details on the next Committee meeting, when ready.

AGENDA ITEM 6: COMMITTEE REPORT

11. The Committee decided to finalise the Committee report via email correspondence.

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PROVISIONAL AGENDA

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AGENDA ITEM 6: COMMITTEE REPORT