

Section C: Documentary Evidence

ARTICLE 11

Certification of Origin

1. The exporting Party shall provide the opportunity for a principal manufacturer, a producer or an exporter to apply to an authorised body referred to in Annex 2A (Certificate of Origin Requirements) for a Certificate of Origin.
2. An application for a Certificate of Origin and a Certificate of Origin shall meet the requirements of Annex 2A (Certificate of Origin Requirements).
3. A Certificate of Origin may be used for a single shipment or for multiple shipments of the goods described therein.
4. The exporting Party may revoke a Certificate of Origin by notice in writing. A revoked Certificate of Origin shall have no force from the date specified in that notice.
5. The exporting Party shall forward a copy of a notice revoking a Certificate of Origin to the applicant for the Certificate of Origin and to the importing Party, immediately upon the issue of that notice.
6. The importer of goods, for which preferential tariff treatment is claimed, must possess, before the goods enter the territory of the importing Party for domestic use¹, a declaration, which shall be made by the exporter of the goods in writing, that the goods for which preferential tariff treatment is claimed are originating goods. The Declaration shall be completed by a representative of the exporter competent to make the Declaration and must include:
 - (a) a reference to the exporter's invoice for the goods;
 - (b) a statement that the goods are identical to goods specified in a valid Certificate of Origin nominated in the Declaration;
 - (c) a statement that the goods are originating goods that comply with the rule specified in the nominated Certificate of Origin; and
 - (d) the signature, name and designation of the exporter's representative, and the date the Declaration is signed.
7. A Declaration shall not be required where a Certificate of Origin is to be used for a single shipment. Where a Certificate of Origin is to be used for multiple shipments, a Declaration is not required for the first shipment but shall be required for all subsequent shipments.
8. Where the exporter of the goods is not the producer or principal manufacturer of the goods, the exporting Party shall require that, prior to making a Declaration pursuant to Article 11.6, the exporter must ensure that the producer or principal manufacturer has a copy of the relevant Certificate of Origin and has obtained from that producer or principal

¹ For Australia, the reference to goods entering the territory for domestic use is to be taken as a reference to goods entering the territory for home consumption.

manufacturer written confirmation that the goods are originating goods. The confirmation shall be completed by the representative of the producer or principal manufacturer who is competent to make the confirmation, and shall include:

- (a) a reference to the evidence of sale of the goods between the producer or principal manufacturer and the exporter;²
- (b) a statement that the goods are identical to goods specified in a valid Certificate of Origin nominated in the confirmation;
- (c) a statement that the goods are originating goods that comply with the rule specified in the nominated Certificate of Origin; and
- (d) the signature, name and designation of the principal manufacturer's representative, and the date the confirmation is signed.

9. A Certificate of Origin for a single shipment shall be valid provided that the Certificate of Origin is issued before the goods referred to therein enter the territory of the importing Party for domestic use, the certificate is used within one year from the date of issue and has not been revoked.

10. A Certificate of Origin for multiple shipments shall be valid provided that the Certificate of Origin is issued before the goods referred to therein enter the territory of the importing Party for domestic use, the certificate is used within two years from the date of issue, provided that the first shipment occurs within the first year of issue and has not been revoked.

11. A Declaration shall be valid if it is made before the goods for which preferential tariff treatment is claimed enter the territory of the importing Party for domestic use.

ARTICLE 12

Claim for Preferential Tariff Treatment

1. Subject to Article 12.2 and Article 11, the importing Party shall grant preferential tariff treatment to goods imported into its territory from the other Party, provided that the goods are originating goods, the consignment criteria specified in Article 10 (Consignment) have been met, and the importer claiming preferential tariff treatment, has in its possession and provides a copy, if so requested by the importing Party:

- (a) a valid Certificate of Origin when it is used for first shipment; or
- (b) a valid Certificate of Origin and a declaration when the Certificate of Origin is used subsequently for multiple shipments.

2. The importing Party may waive the requirement for a Certificate of Origin or a Declaration in certain circumstances, in accordance with its domestic laws and practices.

² Evidence of sale in most cases would refer to an invoice number and not the purchase order number.

3. The importing Party shall grant preferential tariff treatment to goods imported after the date of entry into force of this Agreement and for which no preferential tariff treatment was earlier applied, if:

(a) the claim for preferential tariff treatment is made within 12 months from the date of payment of customs duties, subject to domestic laws and practices in the importing Party; and

(b) the importer provides a copy of the valid Certificate of Origin and Declaration relevant to those goods.