Further facilitation in proof of origin: Registered Exporter

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Pierre-Jacques LARRIEU
European Commission
DG Taxation and Customs Union
Scope and context

- **Proofs of preferential origin** in FTAs and unilateral preferential arrangements

- **Worldwide trend:**
  - Certification by authority is declining while self-certification by exporters, often including electronic transmission of proofs, is increasingly used; both systems may operate in parallel; importers may also be entitled to declare preferential origin without a formal proof.
  - **Why?** Computerisation of declarations; dematerialisation of supporting documentation; local clearance procedures etc.

  => growing demand for simplification and trade facilitation
Current situation in the EU

• For FTAs:

• Proofs of origin are either issued by authorities or made out by exporters themselves (generally called 'origin declarations' – made out on invoice or any other commercial document);

• If value of originating products consigned exceeds €6,000 exporters must be 'approved' for making out origin declarations.

Exception: Origin declarations are the only proof of origin foreseen in the EU-KOREA FTA.
Current situation in the EU

- **For GSP:**
  - Standard proof = **Form A certificate**.
  - Exporters from beneficiary countries may make out origin declarations on invoice themselves for consignments of **maximum € 6,000**
  - No self-certification foreseen beyond this threshold, (except in the case of EU approved exporter supplying materials within framework of bilateral cumulation)
Future: GSP

- Move towards full self-certification foreseen as of 1/1/2017: the Registered exporter (REX) system
- Under the REX system exporters will make out **statements on origin** themselves for consignments of any value provided they are registered with the competent authorities of their countries
- For consignments not exceeding the current threshold of maximum € 6,000 = any exporter will be entitled to make out statements on origin
How does it work?

- Exporter lodge **application** with competent authorities
- Authorities check whether application is **complete**
- Authorities accept application and **register** exporter in the system
- European Commission receives information on registration of exporter and maintains **central database** of registered exporters
- Information about exporter is **published on the internet**, with exception of 'confidential' data
Obligations

• Of Beneficiary Countries:
  - Submit comprehensive undertakings
  - Notify EU Commission of names and addresses of authorities empowered to:
    * register exporters
    * provide administrative cooperation

• Of EU Commission:
  Publish list of beneficiary countries considered to meet the conditions
A progressive approach

- Introduction of REX will take account of beneficiary countries' **capacity** to set up and manage the registration system. An additional **three year** period may be provided for countries which cannot meet the deadline of 1 January 2017.

- On 1/7/2016 (and 1/7/2019) at the latest: examination of **state of preparation** of beneficiary countries for application of REX and proposal for necessary adjustments.
Expected benefits

- Registration of exporters will:
  - **facilitate** business on both export and import sides
  - **facilitate** targeted post-export controls
  - **increase** information of all interested parties

- Registration is **simple** and a one-off act

- Enable operators to **check before** declaring goods that supplier is a 'REX' in the beneficiary country concerned

- European Union operators making exports for purpose of **bilateral cumulation** of origin will also be registered with competent authorities in EU Member States
Approval Vs. registration of exporters

- Compared to current system of 'approval', registration is **simpler** and does not imply a mandatory **prior assessment** of exporters' knowledge of rules of origin.

- For ensuring compliance, this flexibility is re-balanced by obligation put on authorities of exporting country to carry out, **on their own initiative**, **regular controls on exporters** in addition to any ad hoc subsequent verifications they conduct at the request of importing Member States.

=> Move from a system based on routinely issued certificates to a risk-oriented audit approach.
Way forward in FTAs

- Both in on-going negotiations of FTAs and in existing FTAs, EU wishes to **promote self-certification** of origin and wherever possible the flexible and transparent system of registered exporters (first extension foreseen: in relations with Overseas Countries and Territories – OCTs)
- Current 'approved' exporters should of course automatically become 'REX'
- Database covering all MS' exporters will become available
Thank you very much for your attention!