



NUMBER 38 EXPORTS TO CHINA – CERTIFICATION AND TRADE FACILITATION

New Zealand has established processes for certifying the origin of New Zealand exports to the People's Republic of China (China) under the New Zealand-China Free Trade Agreement (NZCFTA). The certification of goods which are the origin of New Zealand will facilitate the preferential entry of such goods into China.

To benefit from the preferential tariff rates and treatment applied under the NZCFTA, goods imported into China from New Zealand require a Certificate of Origin. However, as an alternative to a Certificate of Origin, a Declaration of Origin can be used for any consignment of goods where the aggregate customs value does not exceed US\$1,000, or for goods covered by an Advance Ruling on Origin (see below).

Certification of New Zealand Origin

As mentioned above, goods imported into China from New Zealand, for which New Zealand origin is claimed, require a Certificate of Origin issued by a certification body in New Zealand to evidence that those goods are entitled to preferential entry into China.

A Certificate of Origin (in the format set out in Appendix 1) will give assurance to the General Administration of Customs of the People's Republic of China (China Customs) that an importer's claim for New Zealand preference is valid.

The following three entities have been designated as certification bodies. These bodies are able to issue NZCFTA Certificates of Origin to enable eligible New Zealand exports to claim the applicable NZCFTA preferential tariff rate when imported into China. The three certification bodies are:

- Independent Verification Services Ltd;
- New Zealand Chambers of Commerce Inc; and
- Wine Institute of New Zealand Inc.

Independent Verification Services Ltd and New Zealand Chambers of Commerce Inc are designated to issue Certificates of Origin for any goods exported to China. The Wine Institute of New Zealand Inc can only issue Certificates of Origin for New Zealand grape wine classified under tariff heading 22.04 that is made solely from grapes grown in New Zealand.

The contact details of each certification body are:

Independent Verification Services Ltd

PO Box 9272
Waikato Mail Centre
Hamilton 3240

Contact:

David Baker
Phone: 0800 021 169
Email: nzorigin@ivsltd.co.nz

New Zealand Chambers of Commerce Inc

PO Box 47
Auckland

Contact:

Michael Barnett
Phone: 09-302 9916
Email: mbarnett@chamber.co.nz

The Auckland Regional Chamber of Commerce

Cameron Gordon
Phone: 09-375 3944
Email: cgordon@chamber.co.nz

The Wellington Regional Chamber of Commerce

Jeff Dahlberg
Phone: 04-914 6514
Email: jeffd@wellingtonchamber.co.nz

The Canterbury Employers' Chamber of Commerce

Monique Baars
Phone: 03-353 0316
Email: moniqueb@cecc.org.nz

The Otago Chamber of Commerce

Fiona Gray
Phone: 03-479 0181
Email: fiona@otagochamber.co.nz

Wine Institute of New Zealand Inc

PO Box 90276
Auckland

Contact:

Sue Church
Phone: 09-306 5552
Email: sue@nzwine.com

The designation of the certification bodies is intended to remove the New Zealand Customs Service from the day-to-day administration of the system. The New Zealand Customs Service will, however, maintain an oversight to assure itself that valid Certificates of Origin are being issued, and it will be the link between the certification bodies and China Customs to address any practical issues that may arise.

New Zealand exporters applying for Certificates of Origin will need to satisfy the certification body that their goods are the origin of New Zealand (as specified in the NZCFTA). Although different certification bodies may have different application processes the resulting Certificate of Origin will be in the same format (see Appendix 1).

Note:

The New Zealand exporter is not required to complete Box 14 (“Declaration by the exporter”) on the Certificate of Origin for New Zealand exports to China.

Declaration of Origin

A Declaration of Origin (in the format set out in Appendix 2) will be accepted in place of a Certificate of Origin in the following circumstances:

- for any consignment with an aggregate customs value that does not exceed US\$1,000 or its equivalent in the currency of China; or
- for any consignment of goods covered by an Advance Ruling on Origin (see below), so long as the facts and circumstances on which the ruling was based remain unchanged and the ruling remains legally valid.

The Declaration of Origin presented to China Customs must be printed and presented as a separate document accompanying the commercial invoice. A Declaration of Origin may cover up to 20 different product lines in any one consignment. The commercial invoice listed on the Declaration of Origin should only list the goods that are originating from New Zealand under the NZCFTA (i.e., qualifying goods). Exporters are advised to have a separate Declaration of Origin for each separate invoice. Where a Declaration of Origin is used for qualifying goods that form only part of a consignment, a separate invoice is required for the qualifying goods.

A Declaration of Origin only covers the goods presented under a single import customs declaration, and remains valid for 12 months from the date of issue, which is the date of signature by the exporter/producer.

Note:

China Customs may deny preferential tariff treatment to goods covered by a Declaration of Origin where an importation forms part of a series of importations that may reasonably be considered to have been undertaken or arranged for the purposes of circumventing the operational procedures set out in the NZCFTA.

Advance Rulings on Origin – Declaration of Origin

An Advance Ruling on Origin (origin ruling) obtained from China Customs can be used as evidence that goods are entitled to preferential treatment under the NZCFTA.

New Zealand exporters/producers must complete a Declaration of Origin for goods covered by an origin ruling. The Declaration of Origin must note the reference number of the origin ruling (see Appendix 2). This declaration must be printed and presented as a separate document accompanying the commercial invoice.

Note that an origin ruling must be obtained from China Customs – an origin ruling issued by the New Zealand Customs Service does not allow the New Zealand exporter to use the Declaration of Origin approach for entry into China. Rather, such goods would need to be supported by a Certificate of Origin issued by a certification body in New Zealand.

Application for an Advance Ruling on Origin – China Customs

An exporter, importer or any person with a justifiable cause may apply to China Customs for an origin ruling.

An application for an origin ruling must be lodged with China Customs at least three months before the date of importation of the goods that are the subject of the application. Applications for origin rulings can be lodged with China Customs at:

The contact details for New Zealanders seeking an advance origin ruling from China Customs will be added as soon it is known.

The application must be supported by a detailed description of the goods and all relevant information needed to issue a ruling. China Customs may, at any time during the course of issuing a ruling, request that the applicant provide additional information within a specified period. Where any additional information requested by China Customs is not provided within the specified time, the requests for a ruling may be rejected.

China Customs will issue the ruling, in Chinese, to the applicant expeditiously on receipt of all necessary information, or in any case within 90 days. The ruling will apply to all importations of goods described in that ruling into China through any port of entry within three years of the date of that ruling or such other period as required by China’s domestic legislation.

China Customs may modify or revoke a ruling:

- upon a determination that the ruling was based on an error of fact or law, or the information provided is false or inaccurate;
- if there is a change in domestic law consistent with the NZCFTA; or
- if there is a change in a material fact or circumstances on which the ruling is based.

Subject to the confidentiality requirements of China's domestic law, China will publish its origin rulings.

Where an importer claims that the treatment accorded to an imported good should be governed by a ruling, China Customs may evaluate whether the facts and circumstances of the importation are consistent with the facts and circumstances upon which a ruling was based.

Further Facilitation Measures

New Zealand and China have also agreed further trade facilitation measures.

China Customs will release imported goods within 48-hours of arrival unless:

- the importer fails to provide any information required by China Customs at the time of first entry;
- the goods are selected for closer examination by China Customs through the application of risk management techniques;
- the goods are to be examined by any agency, other than China Customs, acting under powers conferred by the domestic legislation of China; or
- fulfilment of all necessary customs formalities has not been able to be completed or release is otherwise delayed by virtue of *force majeure*.

Either Customs administration may at any time request consultations with the other Customs administration on any matter arising from the operation or implementation of the Customs Chapter of the NZCFTA.

This allows the Customs administrations to discuss differences of opinion in areas such as tariff interpretation (that determine the rate of duty imposed on imported goods), the rules of origin that must be met, valuation and entry processing. Consultation between the technical agencies is an efficient way to resolve points of difference.

Each Customs administration also agrees to periodically review its procedures with a view to their further simplification and the development of mutually beneficial arrangements to facilitate the flow of trade between New Zealand and China. In applying a risk management approach to customs control, each Customs administration will regularly review the performance, effectiveness and efficiency of its systems. This also provides an opportunity for each administration to keep its processes current with modern business practices.

All of the measures identified above foster trade between New Zealand and China, and recognise the special relationship established under the NZCFTA.

Contacts for Further Information

If you have any questions on export certification please contact one of the certification bodies named above.

If you have any enquiries on any of these other trade facilitation measures, you can contact the New Zealand Customs Service at:

Valuation and Origin section
New Zealand Customs Service
PO Box 29
Shortland Street
Auckland 1140
NEW ZEALAND
Phone: +64-9-359 6655
Fax: +64-9-359 6586
Email: v&o@customs.govt.nz

Enquiries may also be made with the New Zealand Customs Service representative in China at:

Counsellor (Customs)
New Zealand Embassy
1 Ritan Donerjie
Chaoyang District, Beijing 100600
PEOPLE'S REPUBLIC OF CHINA
Phone: +86-10-8532-7055
Mobile: +86-139-1059-0362
Fax: +86-10-6532-4317
Email: matthew.roseingrave@mfat.govt.nz

For further information, contact your nearest office of the New Zealand Customs Service, visit the Customs website www.customs.govt.nz, or call Customs on 0800-428 786 (0800 4 CUSTOMS).

CERTIFICATE OF ORIGIN

ORIGINAL

1. Exporter's name, address, country:		Certificate No.:				
2. Producer's name and address, if known:		CERTIFICATE OF ORIGIN				
3. Consignee's name, address, country:		Form for New Zealand - China FTA				
4. Means of transport and route (as far as known)		Issued in _____ (see Instruction overleaf)				
Departure date		5. For official use only				
Vessel /Flight/Train/Vehicle No.		<input type="checkbox"/> Preferential Tariff Treatment Given Under _____ <input type="checkbox"/> Preferential Treatment Not Given (Please state reasons)				
Port of loading	 Signature of Authorized Signatory of the Importing Country				
Port of discharge		6. Remarks				
7. Item number (Max 20)	8. Marks and numbers on packages	9. Number and kind of packages; description of goods	10. HS code (Six digit code)	11. Origin criterion	12. Gross weight, quantity (quantity unit) or other measures (litres, m ³ , etc)	13. Number, date of invoice and invoiced value
14. Declaration by the exporter The undersigned hereby declares that the above details and statement are correct, that all the goods were produced in (Country) and that they comply with the origin requirements specified in the FTA for the goods exported to (Importing country) Place and date, signature of authorized signatory			15. Certification <i>On the basis of control carried out, it is hereby certified that the information herein is correct and that the goods described comply with the origin requirements specified in the New Zealand – China FTA.</i> Place and date, signature and stamp of authorized body			

Overleaf Instruction

- Box 1: State the full legal name, address (including country) of the exporter.
- Box 2: State the full legal name, address (including country) of the producer. If more than one producer's good is included in the certificate, list the additional producers, including name, address (including country). If the exporter or the producer wishes the information to be confidential, it is acceptable to state "Available to the authorized body upon request". If the producer and the exporter are the same, please complete field with "SAME". If the producer is unknown, it is acceptable to state "UNKNOWN".
- Box 3: State the full legal name, address (including country) of the consignee.
- Box 4: Complete the means of transport and route and specify the departure date, transport vehicle No., port of loading and discharge.
- Box 5: The customs administration of the importing country must indicate (✓) in the relevant boxes whether or not preferential tariff treatment is accorded.
- Box 6: Any additional information such as Customer's Order Number, Letter of Credit Number, etc. may be included.
- Box 7: State the item number, and item number should not exceed 20.
- Box 8: State the shipping marks and numbers on the packages.
- Box 9: Number and kind of package shall be specified. Provide a full description of each good. The description should be sufficiently detailed to enable the products to be identified by the Customs Officers examining them and relate it to the invoice description and to the HS description of the good. If goods are not packed, state "in bulk". When the description of the goods is finished, add "***" (three stars) or "\ " (finishing slash).
- Box 10: For each good described in Box 9, identify the HS tariff classification to six digits.
- Box 11: If the goods qualify under the Rules of Origin, the exporter must indicate in Box 11 of this form the origin criteria on the basis of which he claims that his goods qualify for preferential tariff treatment, in the manner shown in the following table:

The origin criteria on the basis of which the exporter claims that his goods qualify for preferential tariff treatment	Insert in Box 11
The good is wholly obtained or produced in the territory of a Party as set out and defined in Article 20, including where required to be so under Annex 5	WO
The good is produced entirely in the territory of one or both Parties, exclusively from materials whose origin conforms to the provisions of Section 1 of Chapter 4.	WP
The good is produced in the territory of one or both Parties, using non-originating materials that conform to a change in tariff classification, a regional value content, a process requirement or other requirements specified in Annex 5, and the good meets the other applicable provisions of Section 1 of Chapter 4.	PSR ¹

- Box 12: Gross weight in kilograms should be shown here. Other units of measurement e.g. volume or number of items which would indicate exact quantities may be used when customary.
- Box 13: Invoice number, date of invoices and invoiced value should be shown here.
- Box 14: The field must be completed, signed and dated by the exporter for exports from China. It is not required for New Zealand exports to China. Insert the place, date of signature.
- Box 15: The field must be completed, signed, dated and stamped by the authorized person of the authorized body.

¹ When the good is subject to a regional value content (RVC) requirement stipulated in Annex 5, indicate the percentage

DECLARATION OF ORIGIN

New Zealand-China FTA

I _____ being the
(print name and position)

EXPORTER / PRODUCER / EXPORTER AND PRODUCER
(strike out that which does not apply)

hereby declare that the goods enumerated on this invoice
_____ (insert invoice number) are originating from

NEW ZEALAND / CHINA
(strike out that which does not apply)

in that they comply with the rules of origin requirements of the New Zealand – China Free Trade Agreement.

If applicable:

These goods are covered by advance ruling _____ (insert reference number) that deems the goods to qualify as originating in accordance with the rules of origin under the New Zealand–China Free Trade Agreement.

Signed: _____

Date: _____

Note: This declaration must be printed and presented as a separate document accompanying the commercial invoice. The maximum number of items covered by this declaration should not exceed 20.

