

The Government issues provisions on goods origin

The Government has issued Decree specifying the Law on Trade on the origin of goods.



In which, Decree stipulates that goods are considered to be originating if they are subject to one of following cases: Goods are wholly obtained or produced entirely in a country, country group or territory as prescribed; Goods are not wholly obtained or not produced entirely a country, country group or territory but satisfy the requirements.

Goods are considered to be wholly obtained or produced entirely in a country, country group or territory if they are subject to following cases:

- 1- Plants or products from plants are grown and harvested in that country, country group or territory.
- 2- Live animals are born and raised in that country, country group or territory.
- 3-Products from live animals referred to in Point 2.
- 4-Products obtained from hunting, trapping, fishing, farming, gathering or capturing in that country, country group or territory.
- 5- Minerals and other naturally occurring substances, not included in from point 1 to point 4, extracted or taken from soil, waters, seabed or beneath seabed of that country, group country or territory.
- 6- Products are taken from the water, seabed or beneath the seabed outside the territorial waters of that country, country group or territory, provided that country, country group or territory has the rights to exploit such water, seabed or beneath the seabed in accordance with international law.
- 7-Products of sea-fishing taken by vessels registered with that country, country group or territory and entitled to fly the flag of that country, country group or territory.
- 8- Products processed or made on board factory ships from products registered with that country, country group or territory and entitled to fly the flag of that country, country group, exclusively from products referred to in Point 7.
- 9-Articles collected in producing or consuming in that country, country group or territory which can no longer perform their original purpose nor are capable of being restored or repaired and are fit only for disposal or recovery of parts of raw materials, or for recycling purposes;
- 10-Goods obtained or produced from products referred to in Point 1 to Point 9 in that country, group country and territory.

Decree stipulates that goods are considered to be originating not wholly obtained or not produced entirely in a country, country group or territory if goods satisfy origin criterion in the Nomenclature of product-specific rules regulated by Ministry of Industry and Trade.

Decree also specifies that for the case of goods applied the “change in tariff classification” criterion, the packing materials and containers of the goods for retail shall be excluded from non-originating materials used for producing the goods when being classified together with that goods.

Goods are applied the “Ad valorem percentage” criterion, the value of packaging material and containers of the goods for retail is considered as a part of the goods and included when determining the origin of those goods.

Packing materials and containers for transportation shall be excluded when determining the origin of those goods.

Materials introducing and guiding the use of goods, accessories, component and tools thereof in the appropriate quantity and category shall be considered to have the same origin with those goods.

Goods which have not been assembled or are being disassembled are imported in partial shipment method due to the transport or production that make the import not be implemented at once. Upon the request of importer, the origin of goods in each shipment is considered to have the same origin with those goods.

Traders applying for Certificate of origin for the first time must register their dossier with agencies, organizations issuing the Certificate of origin and are only considered for issuance of the C/O for legal registered dossiers.

Source: customsnews.vn