

AGREEMENT

in the form of an Exchange of Letters between the Community and each of the EFTA countries that grants tariff preferences under the GSP (Norway and Switzerland), providing that goods originating in Norway or Switzerland shall be treated on their arrival on the customs territory of the Community as goods with content of Community origin (reciprocal agreement)

A. Letter from the European Community

Sirs,

1. The European Community and Switzerland acknowledge that each Party applies similar rules of origin, for the purposes of the Generalised System of Preferences (GSP), with the following general principles:
 - definition of the concept of originating products based on the same criteria,
 - provision for regional cumulation of origin,
 - provisions for applying cumulation to materials which originate, in terms of the GSP-rules, in the European Community, Switzerland or Norway,
 - a percentage-tolerance for non-originating materials,
 - provisions for direct transport of goods from the beneficiary country,
 - provisions for the issue and acceptance of replacement certificates of origin Form A (hereinafter referred to as replacement certificates),
 - requirement for administrative cooperation, with the competent authorities in the beneficiary countries, on the matter of certificates of origin Form A.
2. The European Community and Switzerland recognise that materials, originating in the European Community, in Switzerland or in Norway (in terms of the GSP-rules), which, in a GSP-beneficiary country, have been processed and incorporated into a product originating in a GSP-beneficiary country, shall be considered as originating in that beneficiary country.

The customs authorities of the European Community, Switzerland or Norway shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification of the movement certificate EUR.1 corresponding to the materials referred to in the first subparagraph. The provisions concerning administrative cooperation laid down in Protocol 3 to the Agreement EC-Switzerland, in Annex B of the EFTA Convention or in Protocol 4 of the Agreement on the European Economic Area are to be applied *mutatis mutandis*.

The provisions of this paragraph shall not apply to products of Chapters 1 to 24 of the Harmonised System.

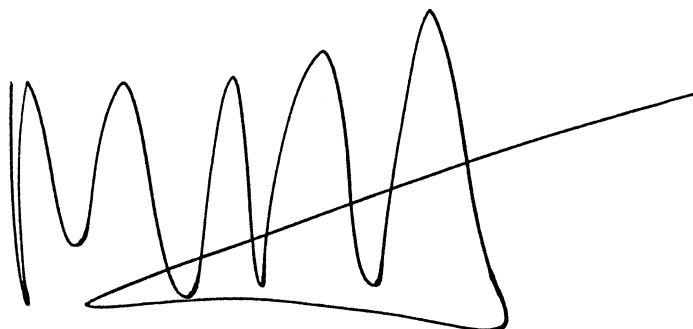
3. The European Community and Switzerland hereby undertake, by mutual agreement, to accept replacement certificates, issued by each other's customs authorities to replace certificates of origin Form A issued by the competent authorities of a GSP-beneficiary country, under the following conditions:
 - this procedure shall apply only to certificates of origin Form A, and not to any other document certifying origin,
 - the replacement certificate shall be issued at the re-exporter's written request,
 - the goods shall have remained under customs supervision in the European Community or in Switzerland, as the case may be, and shall not have been subject to operations other than unloading, reloading, splitting of consignments or any operation designed to preserve them in good condition,
 - the customs office, under whose control the goods are placed, shall write off the corresponding amount against the original certificate of origin Form A and enter on it the serial number(s) of the corresponding replacement certificate(s),

- the goods concerned shall not be subject to a derogation from the rules of origin,
 - the customs authorities of the European Community and of Switzerland shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification; in particular, and at the request of the country of destination, the authorities of the country in which the replacement certificate is issued shall carry out the procedure for the subsequent verification of the corresponding original certificate of origin Form A.
4. The replacement certificate shall be established in the following manner :
- the top right-hand box of the replacement certificate shall indicate the name of the intermediary country where it is issued,
 - box 4 shall contain the words 'replacement certificate' or 'certificat de remplacement', as well as the date of issue of the original certificate of origin Form A and its serial number,
 - the name of the re-exporter shall be given in box 1,
 - the name of the final consignee may be given in box 2,
 - all particulars of the re-exported products appearing on the original certificate must be transferred to boxes 3 to 9,
 - references to the re-exporter's invoice must be given in box 10,
 - the customs authority which issued the replacement certificate shall endorse box 11. The responsibility of the authority is confined to the issue of the replacement certificate. The particulars in box 12 concerning the country of origin and the country of destination shall be taken from the original certificate of origin Form A. This box shall be signed by the re-exporter. A re-exporter who signs this box in good faith shall not be responsible for the accuracy of the particulars entered on the original certificate of origin Form A,
 - the customs office which is requested to perform the operation should note on the original certificate of origin Form A the weights, numbers and nature of the goods forwarded and indicate thereon the serial numbers of the corresponding replacement certificate or certificates. It shall keep the request of the replacement certificate as well as the original certificate of origin Form A for at least three years,
 - a photocopy of the original certificate of origin Form A may be annexed to the replacement certificate.
5. In the event of serious misgivings as to the proper functioning of this Agreement, either Party may suspend its application. In this case, the designated authorities of the other Party shall be notified in advance.
6. This Agreement shall enter into force on a mutually-agreed date, once the European Community and Switzerland have notified each other of the completion of the internal procedures required for the incorporation, into their respective GSP-schemes, of the provision for cumulation with each other's originating materials.

I would be grateful if your Government would confirm its agreement to the foregoing.

Done at Brussels, 14 December 2000.

For the Council of the European Union



B. Letter from Switzerland

Sirs,

I have the honour to acknowledge receipt of your letter which reads as follows:

1. The European Community and Switzerland acknowledge that each Party applies similar rules of origin, for the purposes of the Generalised System of Preferences (GSP), with the following general principles:
 - definition of the concept of originating products based on the same criteria,
 - provision for regional cumulation of origin,
 - provisions for applying cumulation to materials which originate, in terms of the GSP-rules, in the European Community, Switzerland or Norway,
 - a percentage-tolerance for non-originating materials,
 - provisions for direct transport of goods from the beneficiary country,
 - provisions for the issue and acceptance of replacement certificates of origin Form A (hereinafter referred to as replacement certificates),
 - requirement for administrative cooperation, with the competent authorities in the beneficiary countries, on the matter of certificates of origin Form A.
2. The European Community and Switzerland recognise that materials, originating in the European Community, in Switzerland or in Norway (in terms of the GSP-rules), which, in a GSP-beneficiary country, have been processed and incorporated into a product originating in a GSP-beneficiary country, shall be considered as originating in that beneficiary country.

The customs authorities of the European Community, Switzerland or Norway shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification of the movement certificate EUR.1 corresponding to the materials referred to in the first subparagraph. The provisions concerning administrative cooperation laid down in Protocol 3 to the Agreement EC-Switzerland, in Annex B of the EFTA Convention or in Protocol 4 of the Agreement on the European Economic Area are to be applied *mutatis mutandis*.

The provisions of this paragraph shall not apply to products of Chapters 1 to 24 of the Harmonised System.

3. The European Community and Switzerland hereby undertake, by mutual agreement, to accept replacement certificates, issued by each other's customs authorities to replace certificates of origin Form A issued by the competent authorities of a GSP-beneficiary country, under the following conditions:
 - this procedure shall apply only to certificates of origin Form A, and not to any other document certifying origin,
 - the replacement certificate shall be issued at the re-exporter's written request,
 - the goods shall have remained under customs supervision in the European Community or in Switzerland, as the case may be, and shall not have been subject to operations other than unloading, reloading, splitting of consignments or any operation designed to preserve them in good condition,
 - the customs office, under whose control the goods are placed, shall write off the corresponding amount against the original certificate of origin Form A and enter on it the serial number(s) of the corresponding replacement certificate(s),
 - the goods concerned shall not be subject to a derogation from the rules of origin,
 - the customs authorities of the European Community and of Switzerland shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification; in particular, and at the request of the country of destination, the authorities of the country in which the replacement certificate is issued shall carry out the procedure for the subsequent verification of the corresponding original certificate of origin Form A.

4. The replacement certificate shall be established in the following manner:
 - the top right-hand box of the replacement certificate shall indicate the name of the intermediary country where it is issued,
 - box 4 shall contain the words “replacement certificate” or “certificat de remplacement”, as well as the date of issue of the original certificate of origin Form A and its serial number,
 - the name of the re-exporter shall be given in box 1,
 - the name of the final consignee may be given in box 2,
 - all particulars of the re-exported products appearing on the original certificate must be transferred to boxes 3 to 9,
 - references to the re-exporter's invoice must be given in box 10,
 - the customs authority which issued the replacement certificate shall endorse box 11. The responsibility of the authority is confined to the issue of the replacement certificate. The particulars in box 12 concerning the country of origin and the country of destination shall be taken from the original certificate of origin Form A. This box shall be signed by the re-exporter. A re-exporter who signs this box in good faith shall not be responsible for the accuracy of the particulars entered on the original certificate of origin Form A,
 - the customs office which is requested to perform the operation should note on the original certificate of origin Form A the weights, numbers and nature of the goods forwarded and indicate thereon the serial numbers of the corresponding replacement certificate or certificates. It shall keep the request of the replacement certificate as well as the original certificate of origin Form A for at least three years,
 - a photocopy of the original certificate of origin Form A may be annexed to the replacement certificate.
5. In the event of serious misgivings as to the proper functioning of this Agreement, either Party may suspend its application. In this case, the designated authorities of the other Party shall be notified in advance.
6. This Agreement shall enter into force on a mutually-agreed date, once the European Community and Switzerland have notified each other of the completion of the internal procedures required for the incorporation, into their respective GSP-schemes, of the provision for cumulation with each other's originating materials.

I would be grateful if your Government would confirm its agreement to the foregoing.'

I have the honour to confirm the agreement of my Government to the above.

Done at Brussels, 14 December 2000.

On behalf of the Federal Council of the Swiss Confederation



A. Letter from the European Community

Sirs,

1. The European Community and Norway acknowledge that each Party applies similar rules of origin, for the purposes of the Generalised System of Preferences (GSP), with the following general principles:
 - definition of the concept of originating products based on the same criteria,
 - provision for regional cumulation of origin,
 - provisions for applying cumulation to materials which originate, in terms of the GSP-rules, in the European Community, Norway or Switzerland,
 - a percentage-tolerance for non-originating materials,
 - provisions for direct transport of goods from the beneficiary country,
 - provisions for the issue and acceptance of replacement certificates of origin Form A (hereinafter referred to as replacement certificates),
 - requirement for administrative cooperation, with the competent authorities in the beneficiary countries, on the matter of certificates of origin Form A.
2. The European Community and Norway recognise that materials, originating in the European Community, in Norway or in Switzerland (in terms of the GSP-rules), which, in a GSP-beneficiary country, have been processed and incorporated into a product originating in a GSP-beneficiary country, shall be considered as originating in that beneficiary country.

The customs authorities of the European Community, Norway or Switzerland shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification of the movement certificate EUR.1 corresponding to the materials referred to in the first subparagraph. The provisions concerning administrative cooperation laid down in Protocol 3 to the Agreement EC-Switzerland, in Annex B of the EFTA Convention or in Protocol 4 of the Agreement on the European Economic Area are to be applied *mutatis mutandis*.

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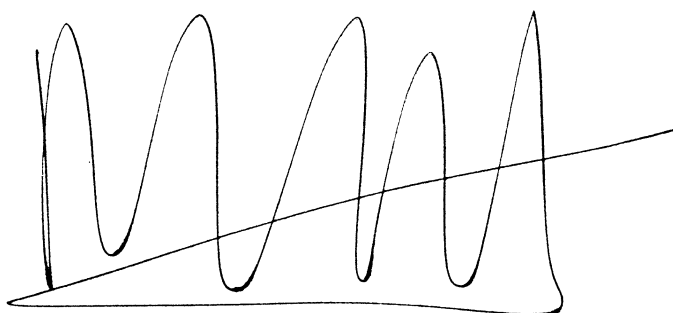
3. The European Community and Norway hereby undertake, by mutual agreement, to accept replacement certificates, issued by each other's customs authorities to replace certificates of origin Form A issued by the competent authorities of a GSP-beneficiary country, under the following conditions:
 - this procedure shall apply only to certificates of origin Form A, and not to any other document certifying origin,
 - the replacement certificate shall be issued at the re-exporter's written request,
 - the goods shall have remained under customs supervision in the European Community or in Norway, as the case may be, and shall not have been subject to operations other than unloading, reloading, splitting of consignments or any operation designed to preserve them in good condition,
 - the customs office, under whose control the goods are placed, shall write off the corresponding amount against the original certificate of origin Form A and enter on it the serial number(s) of the corresponding replacement certificate(s),
 - the goods concerned shall not be subject to a derogation from the rules of origin,
 - the customs authorities of the European Community and of Norway shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification; in particular, and at the request of the country of destination, the authorities of the country in which the replacement certificate is issued shall carry out the procedure for the subsequent verification of the corresponding original certificate of origin Form A.

4. The replacement certificate shall be established in the following manner :
- the top right-hand box of the replacement certificate shall indicate the name of the intermediary country where it is issued,
 - box 4 shall contain the words 'replacement certificate' or 'certificat de remplacement', as well as the date of issue of the original certificate of origin Form A and its serial number,
 - the name of the re-exporter shall be given in box 1,
 - the name of the final consignee may be given in box 2,
 - all particulars of the re-exported products appearing on the original certificate must be transferred to boxes 3 to 9,
 - references to the re-exporter's invoice must be given in box 10,
 - the customs authority which issued the replacement certificate shall endorse box 11. The responsibility of the authority is confined to the issue of the replacement certificate. The particulars in box 12 concerning the country of origin and the country of destination shall be taken from the original certificate of origin Form A. This box shall be signed by the re-exporter. A re-exporter who signs this box in good faith shall not be responsible for the accuracy of the particulars entered on the original certificate of origin Form A,
 - the customs office which is requested to perform the operation should note on the original certificate of origin Form A the weights, numbers and nature of the goods forwarded and indicate thereon the serial numbers of the corresponding replacement certificate or certificates. It shall keep the request of the replacement certificate as well as the original certificate of origin Form A for at least three years,
 - a photocopy of the original certificate of origin Form A may be annexed to the replacement certificate.
5. In the event of serious misgivings as to the proper functioning of this Agreement, either Party may suspend its application. In this case, the designated authorities of the other Party shall be notified in advance.
6. This Agreement shall enter into force on a mutually-agreed date, once the European Community and Norway have notified each other of the completion of the internal procedures required for the incorporation, into their respective GSP-schemes, of the provision for cumulation with each other's originating materials.

I would be grateful if your Government would confirm its agreement to the foregoing.

Done at Brussels, 29 January 2001.

For the Council of the European Union

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

B. Letter from Norway

Sirs,

I have the honour to acknowledge receipt of your letter which reads as follows:

- '1. The European Community and Norway acknowledge that each Party applies similar rules of origin, for the purposes of the Generalised System of Preferences (GSP), with the following general principles:
 - definition of the concept of originating products based on the same criteria,
 - provision for regional cumulation of origin,
 - provisions for applying cumulation to materials which originate, in terms of the GSP-rules, in the European Community, Norway or Switzerland,
 - a percentage-tolerance for non-originating materials,
 - provisions for direct transport of goods from the beneficiary country,
 - provisions for the issue and acceptance of replacement certificates of origin Form A (hereinafter referred to as replacement certificates),
 - requirement for administrative cooperation, with the competent authorities in the beneficiary countries, on the matter of certificates of origin Form A.
2. The European Community and Norway recognise that materials, originating in the European Community, in Norway or in Switzerland (in terms of the GSP-rules), which, in a GSP-beneficiary country, have been processed and incorporated into a product originating in a GSP-beneficiary country, shall be considered as originating in that beneficiary country.

The customs authorities of the European Community, Norway or Switzerland shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification of the movement certificate EUR.1 corresponding to the materials referred to in the first subparagraph. The provisions concerning administrative cooperation laid down in Protocol 3 to the Agreement EC-Switzerland, in Annex B of the EFTA Convention or in Protocol 4 of the Agreement on the European Economic Area are to be applied *mutatis mutandis*.

The provisions of this paragraph shall not apply to products of Chapters 1 to 24 of the Harmonised System.

3. The European Community and Norway hereby undertake, by mutual agreement, to accept replacement certificates, issued by each other's customs authorities to replace certificates of origin Form A issued by the competent authorities of a GSP-beneficiary country, under the following conditions:
 - this procedure shall apply only to certificates of origin Form A, and not to any other document certifying origin,
 - the replacement certificate shall be issued at the re-exporter's written request,
 - the goods shall have remained under customs supervision in the European Community or in Norway, as the case may be, and shall not have been subject to operations other than unloading, reloading, splitting of consignments or any operation designed to preserve them in good condition,
 - the customs office, under whose control the goods are placed, shall write off the corresponding amount against the original certificate of origin Form A and enter on it the serial number(s) of the corresponding replacement certificate(s),
 - the goods concerned shall not be subject to a derogation from the rules of origin,
 - the customs authorities of the European Community and of Norway shall provide each other with any appropriate administrative assistance, particularly for the purposes of subsequent verification; in particular, and at the request of the country of destination, the authorities of the country in which the replacement certificate is issued shall carry out the procedure for the subsequent verification of the corresponding original certificate of origin Form A.

4. The replacement certificate shall be established in the following manner :
- the top right-hand box of the replacement certificate shall indicate the name of the intermediary country where it is issued,
 - box 4 shall contain the words “replacement certificate” or “certificat de remplacement”, as well as the date of issue of the original certificate of origin Form A and its serial number,
 - the name of the re-exporter shall be given in box 1,
 - the name of the final consignee may be given in box 2,
 - all particulars of the re-exported products appearing on the original certificate must be transferred to boxes 3 to 9,
 - references to the re-exporter's invoice must be given in box 10,
 - the customs authority which issued the replacement certificate shall endorse box 11. The responsibility of the authority is confined to the issue of the replacement certificate. The particulars in box 12 concerning the country of origin and the country of destination shall be taken from the original certificate of origin Form A. This box shall be signed by the re-exporter. A re-exporter who signs this box in good faith shall not be responsible for the accuracy of the particulars entered on the original certificate of origin Form A,
 - the customs office which is requested to perform the operation should note on the original certificate of origin Form A the weights, numbers and nature of the goods forwarded and indicate thereon the serial numbers of the corresponding replacement certificate or certificates. It shall keep the request of the replacement certificate as well as the original certificate of origin Form A for at least three years,
 - a photocopy of the original certificate of origin Form A may be annexed to the replacement certificate.
5. In the event of serious misgivings as to the proper functioning of this Agreement, either Party may suspend its application. In this case, the designated authorities of the other Party shall be notified in advance.
6. This Agreement shall enter into force on a mutually-agreed date, once the European Community and Norway have notified each other of the completion of the internal procedures required for the incorporation, into their respective GSP-schemes, of the provision for cumulation with each other's originating materials.

I would be grateful if your Government would confirm its agreement to the foregoing.'

I have the honour to confirm the agreement of my Government to the above.

Done at Brussels, 29 January 2001.

For the Government of the Kingdom of Norway

