

[date]

Ms KWAN Sik Ning, Maria, JP
Director-General of Trade and Industry
Trade and Industry Department
Hong Kong, China

Dear Ms Kwan,

In accordance with Paragraph 4 of Article 17 (Declaration of Origin and Certificate of Origin) of Chapter 4 (Rules of Origin) of the *New Zealand – Hong Kong, China Closer Economic Partnership Agreement* (“the CEP”), signed on 29 March 2010, I propose that the Operational Certification Procedures set out in the Annex to this letter (including its Appendix) apply to the application for and issuing of a certificate of origin.

If this is acceptable to Hong Kong, China, I propose that this letter and its Annex (including its Appendix), together with your confirmatory letter in reply, will constitute the operational certification procedures that apply, in accordance with Paragraph 4 of Article 17 (Declaration of Origin and Certificate of Origin) of Chapter 4 (Rules of Origin) of the CEP, to the application for and issuing of a certificate of origin.

Yours sincerely

Martyn J Dunne, CNZM
Chief Executive and Comptroller of Customs
New Zealand Customs Service

Annex

OPERATIONAL CERTIFICATION PROCEDURES

For the purposes of these Operational Certification Procedures:

Issuing Authority means the Trade and Industry Department of Hong Kong, China and each Government Approved Certification Organisation of Hong Kong, China.

Rule 1

Details of each Issuing Authority will be notified to New Zealand prior to the entry into force of the CEP. Any subsequent changes will be promptly notified to New Zealand.

Rule 2

Hong Kong, China will provide the names, addresses, specimen signatures and specimens of the impressions of official seals of each Issuing Authority to the customs administration of New Zealand. Any subsequent changes will be promptly notified to the customs administration of New Zealand.

Rule 3

For the purpose of determining originating status, an Issuing Authority will have the power to call for supporting documentary evidence and/or other relevant information to carry out any check considered appropriate in accordance with Hong Kong, China's domestic law and the Issuing Authority's administrative procedures.

Rule 4

1. The producer and the exporter of the goods will apply for a certificate of origin in writing or by electronic means to an Issuing Authority in accordance with Hong Kong, China's domestic law and the Issuing Authority's administrative procedures, and advise the Issuing Authority of the types and quantities of the goods intended to be exported. The Issuing Authority will, *inter alia*, examine the types of goods to be exported, the production processes used by the producer for those goods, the sources of the raw materials and, where appropriate, the production capacity of the producer and the values of the raw materials used in the production of those goods.

2. In addition to the examination pursuant to Paragraph 1, Hong Kong, China will inspect periodically, or whenever appropriate, the production practices and capacity of the producers applying for certificates of origin, and the results will be taken into account in considering the producers' and exporters' applications for certificates of origin.

Rule 5

The producer and the exporter of the goods applying for a certificate of origin will provide appropriate supporting documents and other relevant information, proving that the goods to be exported qualify as originating goods in accordance with Chapter 4 (Rules of Origin) of the CEP. This will include relevant information concerning any manufacturing processes completed in the People's Republic of China, including the names and addresses of those involved¹.

¹ This includes sub-contractors.

Rule 6

1. An Issuing Authority will carry out proper examination, in accordance with Hong Kong, China's domestic law and the Issuing Authority's administrative procedures, upon each application for a certificate of origin to ensure that:

- (a) the application is duly completed and signed by the authorised signatory of the applicants;
- (b) the goods are originating goods in accordance with Article 2 (Originating Goods) of Chapter 4 (Rules of Origin) of the CEP; and
- (c) statements in the application and the certificate of origin correspond to appropriate supporting documents and other relevant information.

2. The relevant agencies of Hong Kong, China and New Zealand will review at least once a year the standards and processes that Hong Kong, China has established to meet the requirements of Paragraph 1.

Rule 7

1. The format of the certificate of origin will be in accordance with one of the two specimens attached as Appendix 1 as appropriate.

2. The certificate of origin will comprise one original and at least two copies.

3. The original certificate of origin will be marked with the word "**ORIGINAL**".

4. The certificate of origin will:

- (a) be in hardcopy; and

- (b) bear an authorised signature and official seal of the Issuing Authority. The signature and official seal may be applied electronically.
5. The exporter will retain a copy of the certificate of origin.

Rule 8

Neither erasures nor superimpositions will be allowed on the certificate of origin. Any alteration will be made by striking out the erroneous material and making any addition required. Such alterations will be approved by a person authorised to sign the certificate of origin and certified by the appropriate Issuing Authority. Unused spaces will be crossed out to prevent any subsequent addition.

Rule 9

1. The certificate of origin will be issued as near as possible to, but no later than three working days after, the date of exportation, unless an extended customs examination of the application for the certificate of origin is required.

2. Where a certificate of origin has not been issued as provided for in Paragraph 1 due to involuntary errors or omissions or other valid causes, the certificate of origin may be issued retrospectively, but no later than 12 months from the date of exportation, bearing the words **“ISSUED RETROSPECTIVELY”**.

Rule 10

In the event of theft, loss or destruction of the original of a certificate of origin, the producer and the exporter may apply to the Issuing Authority for a certified true copy of the certificate of origin. The certified true copy will be issued on the basis of the details submitted by the producer and the exporter in the application for the original certificate of origin

and the records kept by the Issuing Authority. The certified true copy will bear the words "**CERTIFIED TRUE COPY**" and the date of issue of the original certificate of origin as well as the date of issue of the certified true copy.

Exporter's Name, Address and Contact Details		CERTIFICATE NO.					
Consignee's Name, Address and Contact Details		DATE OF ISSUE					
Importer's Name		CERTIFICATE OF HONG KONG ORIGIN Form for the Closer Economic Partnership Agreement between the Government of the Hong Kong Special Administrative Region and the Government of New Zealand					
Manufacturer's/Producer's Name					【 Logo of the Certificate Issuing Organization 】		
Port of Loading							
Port of Discharge		For Internal Use Only					
Departure Date	Vessel/Flight No.						
Marks, Nos. and Container No.; Description of Goods; PO No.; Invoice No.; HS Code (6-digit); No. and Kind of Packages; FOB Value (HK\$)	Quantity (Quantity Unit)	Brand Names or Labels (if any)	Rules of Origin Criterion				
<div style="border: 1px solid black; padding: 20px; display: inline-block;"> <h1 style="margin: 0;">SPECIMEN</h1> </div>							
It is hereby certified that the goods described above comply with the origin requirements specified in the Closer Economic Partnership Agreement between the Government of the Hong Kong Special Administrative Region and the Government of New Zealand.							
ORIGINAL 【 Stamp of the Certificate Issuing Organization 】		【 Signature by the Certificate Issuing Organization 】					

COPYRIGHT RESERVED

THIS INFORMATION DOES NOT FORM PART OF THIS CERTIFICATE OF HONG KONG ORIGIN.

FOR INFORMATION : THIS PRODUCER HAS PROVIDED A WRITTEN COMMITMENT THAT IT WILL MAINTAIN FOR A PERIOD OF NOT LESS THAN SEVEN YEARS AFTER THE DATE OF EXPORTATION OF THE GOODS COVERED BY THIS CERTIFICATE ALL RECORDS RELATING TO THAT EXPORTATION WHICH ARE NECESSARY TO DEMONSTRATE THAT THE GOODS FOR WHICH A CLAIM FOR TARIFF PREFERENCE WAS MADE QUALIFY FOR PREFERENTIAL TARIFF TREATMENT.

Exporter's Name, Address and Contact Details		CERTIFICATE NO. DATE OF ISSUE CERTIFICATE OF HONG KONG ORIGIN Form for the Closer Economic Partnership Agreement between the Government of the Hong Kong Special Administrative Region and the Government of New Zealand 【Logo of the Certificate Issuing Organization】		
Consignee's Name, Address and Contact Details				
Importer's Name				
Manufacturer's/Producer's Name		Port of Loading		
		Port of Discharge		
Departure Date	Vessel/Flight No.	For Internal Use Only		
Marks, Nos. and Container No.; Description of Goods; PO No.; Invoice No.; HS Code (6-digit); No. and Kind of Packages; FOB Value (HK\$)		Quantity (Quantity Unit)	Brand Names or Labels (if any)	Rules of Origin Criterion
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It is hereby certified that the goods described above comply with the origin requirements specified in the Closer Economic Partnership Agreement between the Government of the Hong Kong Special Administrative Region and the Government of New Zealand.				
ORIGINAL 【Stamp of the Certificate Issuing Organization】		【Signature by the Certificate Issuing Organization】		

[date]

Mr Martyn J Dunne, CNZM
Chief Executive and Comptroller of Customs
New Zealand Customs Service

Dear Mr Dunne,

I refer to your letter dated [insert date] which reads as follows:

"In accordance with Paragraph 4 of Article 17 (Declaration of Origin and Certificate of Origin) of Chapter 4 (Rules of Origin) of the New Zealand – Hong Kong, China Closer Economic Partnership Agreement ("the CEP"), signed on 29 March 2010, I propose that the Operational Certification Procedures set out in the Annex to this letter (including its Appendix) apply to the application for and issuing of a certificate of origin.

If this is acceptable to Hong Kong, China, I propose that this letter and its Annex (including its Appendix), together with your confirmatory letter in reply, will constitute the operational certification procedures that apply, in accordance with Paragraph 4 of Article 17 (Declaration of Origin and Certificate of Origin) of Chapter 4 (Rules of Origin) of the CEP, to the application for and issuing of a certificate of origin."

I am pleased to advise that the above proposal is acceptable to Hong Kong, China and to confirm that your letter and its Annex (including its Appendix) and this letter in reply will constitute the operational certification procedures that apply, in accordance with Paragraph 4 of Article 17 (Declaration of Origin and Certificate of Origin) of Chapter 4 (Rules of Origin) of the *New Zealand - Hong Kong, China Closer Economic Partnership Agreement*, to the application for and issuing of a certificate of origin.

Yours sincerely,

Ms Maria S. N. Kwan
Director-General of Trade and Industry
Trade and Industry Department