



30 September 2015
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P.U. (A) 220

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERINTAH DUTI KASTAM (BARANG-BARANG DI BAWAH PERJANJIAN PENUBUHAN KAWASAN PERDAGANGAN BEBAS ANTARA ASEAN-AUSTRALIA-NEW ZEALAND) (PINDAAN) 2015

CUSTOMS DUTIES (GOODS UNDER THE AGREEMENT ESTABLISHING THE ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AREA) (AMENDMENT) ORDER 2015



DISIARKAN OLEH/
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ATTORNEY GENERAL'S CHAMBERS

AKTA KASTAM 1967

PERINTAH DUTI KASTAM (BARANG-BARANG DI BAWAH PERJANJIAN PENUBUHAN
KAWASAN PERDAGANGAN BEBAS ANTARA ASEAN-AUSTRALIA-NEW ZEALAND)
(PINDAAN) 2015

PADA menjalankan kuasa yang diberikan oleh subseksyen 11(1)
Akta Kastam 1967 [*Akta 235*], Menteri membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan **Perintah Duti Kastam
(Barang-Barang di bawah Perjanjian Penubuhan Kawasan Perdagangan Bebas
antara ASEAN-Australia-New Zealand) (Pindaan) 2015.**

(2) Perintah ini mula berkuat kuasa pada 1 Oktober 2015.

Pindaan Jadual Pertama

2. Perintah Duti Kastam (Barang-Barang di bawah Perjanjian Penubuhan Kawasan
Perdagangan Bebas antara ASEAN-Australia-New Zealand) 2013 [*P.U. (A) 378/2013*]
dipinda dalam Jadual Pertama—

(a) dalam Bahagian Pertama—

(i) dengan menggantikan Kaedah 4 dengan kaedah yang berikut:

“Rule 4: Goods Not Wholly Produced or Obtained

1. For the purposes of Rule 2.1(b) (Originating Goods), a good shall qualify as an originating good of a Party if it satisfies all applicable requirements in Appendix “B” (Product Specific Rules).

2. Where Appendix “B” (Product Specific Rules) provides a choice of rule between a regional value content based rule of origin, a change in tariff classification based rule of origin, a specific process of production, or a combination of any of these, a Party shall permit the producer or exporter of the good to

decide which rule to use in determining if the good is an originating good.”; dan

- (ii) dengan menggantikan Kaedah 19 dengan kaedah yang berikut:

“Rule 19: Consultations, Review and Modification

1. The Parties shall consult regularly to ensure that this Chapter is administered effectively, uniformly and consistently in order to achieve the spirit and objectives of this Agreement.

2. The FTA Joint Committee, upon recommendation of the Committee on Trade in Goods and the ROO Sub-Committee, may adopt a List of Data Requirements for inclusion in the Application for a Certificate of Origin and the Certificate of Origin.

3. The List of Data Requirements, and any subsequent revisions to it, adopted in accordance with paragraph 2 shall be promptly published and shall come into effect on the date determined by the Parties through the FTA Joint Committee and on the basis of a report from the ROO Sub-Committee, through the Committee on Trade in Goods.

4. The FTA Joint Committee, upon recommendation of the Committee on Trade in Goods and the ROO Sub-Committee, shall adopt the transposition of Annex 2 (Product Specific Rules) of the Agreement that is in the nomenclature of the revised HS Code following periodic amendments to the HS Code. Such transposition shall be carried out without impairing the existing commitments and shall be completed in a timely manner. The Parties shall promptly publish the transposition of Annex 2 (Product Specific Rules) of the Agreement in the nomenclature of the revised HS Code.

5. This Chapter may be reviewed and modified in accordance with Article 6 (Amendments) of Chapter 18 (Final Provisions) of the Agreement as and when necessary, upon request of a Party, and subject to the agreement of the Parties, and may be open to such reviews and modifications as may be agreed upon by the FTA Joint Committee.”;

(b) dalam Bahagian II—

(i) dalam Kaedah 6, dengan menggantikan perenggan (iv) dengan perenggan yang berikut:

“(iv) information in APPENDIX “A4” (List of Data Requirements) is provided for the goods being exported.”;

(ii) dalam Kaedah 7, dengan menggantikan perenggan (1) dengan perenggan yang berikut:

“1. The format of the Certificate of Origin is to be determined by the Parties (Certificate of Origin – APPENDIX “A”) and it must contain the data requirements listed in APPENDIX “A4” (List of Data Requirements).”; dan

(iii) dalam Kaedah 10, dengan menggantikan perenggan (iv) dengan perenggan yang berikut:

“(iv) the back-to-back Certificate of Origin contains relevant information from the original Certificate of Origin in accordance with APPENDIX “A4” (List of Data Requirements); and”;

(c) dengan menggantikan APPENDIX “A” dengan Appendix yang berikut:

APPENDIX "A"

1. Goods Consigned from (Exporter's name, address and country) 			Certificate No. _____ Form AANZ <p style="text-align: center;">AGREEMENT ESTABLISHING THE ASEAN – AUSTRALIA – NEW ZEALAND FREE TRADE AREA (AANZFTA)</p> <p style="text-align: center;">CERTIFICATE OF ORIGIN (Combined Declaration and Certificate)</p> <p style="text-align: center;">Issued in (Country) (see Overleaf Notes)</p>		
2. Goods Consigned to (Importer's/ Consignee's name, address, country) 			4. For Official Use <input type="checkbox"/> Preferential Treatment Given Under AANZFTA <input type="checkbox"/> Preferential Treatment Not Given (Please state reason/s) <hr/> Signature of Authorised Signatory of the Importing Country		
3. Means of transport and route (if known) Shipment Date: Vessel's name/Aircraft etc.: Port of Discharge: 					
5. Item number	6. Marks and numbers on packages	7. Number and kind of packages; description of goods including HS Code (6 digits) and brand name (if applicable). Name of company issuing third party invoice (if applicable)	8. Origin Conferring Criterion (see Overleaf Notes)	9. Quantity (Gross weight or other measurement), and value (FOB) where RVC is applied (see Overleaf Notes)	10. Invoice number(s) and date of invoice(s)
11. Declaration by the exporter The undersigned hereby declares that the above details and statements are correct; that all the goods were produced in (country) and that they comply with the rules of origin, as provided in Chapter 3 of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area for the goods exported to (importing country) Place and date, name, signature and company of authorised signatory			12. Certification 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 Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area. Place and date, signature and stamp of Authorised Issuing Authority/ Body		
13. <input type="checkbox"/> Back-to-back Certificate of Origin <input type="checkbox"/> Subject of third-party invoice <input type="checkbox"/> Issued retroactively <input type="checkbox"/> <i>De Minimis</i> <input type="checkbox"/> Accumulation					