

CHAPTER 4

RULES OF ORIGIN AND ORIGIN PROCEDURES

Section A: Rules of Origin

Article 4.1: Definitions

For the purposes of this Chapter:

aquaculture means the farming of aquatic organisms, including fish, molluscs, crustaceans, other aquatic invertebrates and aquatic plants, from seed stock such as eggs, fingerlings, fry, larvae, post-larvae and seedlings by the intervention in the rearing or growing processes to enhance production such as regular stocking, feeding or protection from predators;

FOB means the free on board value of the good, including the costs of transport to the port or site of final shipment abroad regardless of means of transport;

fungible goods or materials means goods or materials that are interchangeable for commercial purposes and whose properties are essentially identical;

Generally Accepted Accounting Principles means the principles recognised by consensus or with substantial authoritative support in the territory of a Party, with respect to the recording of revenues, expenses, costs, assets and liabilities; the disclosure of information; and the preparation of financial statements. These principles may encompass broad guidelines for general application as well as detailed standards, practices and procedures;

indirect material means a good used in the production, testing or inspection of another good but not physically incorporated into that good, or a material used in the maintenance of buildings or the operation of equipment, associated with the production of a good, such as:

- (a) fuel, energy, catalysts and solvents;
- (b) equipment, devices and supplies used for testing or inspection of the good;
- (c) gloves, glasses, footwear, clothing, safety equipment and supplies;
- (d) tools, dies and moulds;
- (e) spare parts and materials used in the maintenance of equipment and buildings;
- (f) lubricants, greases, compounding materials and other materials used in production or used to operate equipment or in the maintenance of buildings; and

- (g) any other material that is not incorporated into the good but the use of which in the production of the good can reasonably be demonstrated to be a part of that production;

material means a good or any material such as components, ingredients, raw materials, parts or component parts that are used in the production of another good;

packaging materials and containers for retail sale means materials and containers in which a good is packaged for retail sale;

packing materials and containers for shipment means materials and containers that are used to protect a good during transportation, but does not include the packaging materials and containers in which a good is packaged for retail sale;

production means methods for obtaining goods, including growing, cultivating, raising, harvesting, fishing, trapping, hunting, capturing, aquaculture, gathering, extracting, manufacturing, processing or assembling a good.

Article 4.2: Originating Goods

Except as otherwise provided in this Chapter, each Party shall provide that a good is originating if it is:

- (a) wholly obtained or produced entirely in the territory of one or more of the Parties in accordance with Article 4.3;
- (b) produced entirely in the territory of one or more of the Parties, exclusively from originating materials; or
- (c) produced entirely in the territory of one or more of the Parties, using non-originating materials, provided that the good satisfies the requirements set out in Annex 4-A,

and the good satisfies all other applicable requirements of this Chapter.

Article 4.3: Wholly Obtained or Produced Goods

Each Party shall provide that the following goods shall be considered wholly obtained or produced entirely in the territory of one or more of the Parties:

- (a) a plant, plant good or a fungi good grown, cultivated, harvested, picked or gathered there;
- (b) a live animal born and raised there;

- (c) a good obtained from a live animal there;
- (d) a good obtained from hunting, fishing, aquaculture, trapping or gathering there;
- (e) a mineral good or other naturally occurring substance extracted or taken from there;
- (f) a good, other than a fish, crustacean, mollusc and other marine life taken by a Party or a person of a Party from the seabed or subsoil outside the territories of the Parties, provided that Party or the person of that Party has the right to exploit such seabed or subsoil in accordance with international law;
- (g) fish, crustacean, mollusc and other marine life taken from the waters outside the territories of the Parties by vessels, provided that those vessels are registered, listed or recorded and entitled to fly the flag of that Party and that Party has the right to exploit such waters in accordance with international law;
- (h) a good obtained or produced exclusively from a good referred to in subparagraph (g) on board of a factory ship, provided that the factory ship is registered, listed or recorded in a Party and entitled to fly the flag of such Party;
- (i) waste and scrap derived from:
 - (i) production carried out there; or
 - (ii) used goods collected there;
 provided that such waste or scrap is fit only for the recovery of raw materials; and
- (j) a good obtained or produced there exclusively from a good referred to in subparagraphs (a) through (i).

Article 4.4: Regional Value Content

1. Each Party shall provide that a regional value content requirement specified in this Chapter, including related Annex 4-A, to determine whether a good is originating is calculated as follows:

- (a) Build-down Method: Based on the Value of Non-Originating Materials

$$RVC = \frac{FOB - VNM}{FOB} \times 100$$

- (b) Build-up Method: Based on the Value of Originating Materials

$$\text{RVC} = \frac{\text{VOM}}{\text{FOB}} \times 100$$

or

- (c) Net Cost Method (for Automotive Goods Only)

$$\text{RVC} = \frac{\text{NC} - \text{VNM}}{\text{NC}} \times 100$$

where:

RVC is the regional value content of a good expressed as a percentage;

FOB is the free on board value of the good;

VOM is the value of originating materials used in the production of the good in the territory of one or more of the Parties;

NC is the net cost of the good determined in accordance with Article 4.5; and

VNM is the value of non-originating materials, including materials of undetermined origin, used in the production of the good.

2. Each Party shall provide that all values considered for the calculation of regional value content are recorded and maintained in conformity with the Generally Accepted Accounting Principles applicable in the territory of a Party where the good is produced.

Article 4.5: Net Cost

1. Each Party shall provide that for the purpose of the regional value content requirement specified in Article 4.4.1 (c), net cost means total cost minus sales promotion, marketing and after-sales service costs, shipping and packing costs, royalties and non-allowable interest costs that are included in the total cost, and shall be calculated in accordance with the following definitions.

2. **Net cost of the good** means the net cost that can be reasonably allocated to the good, using one of the following methods:

- (a) calculating the total cost incurred with respect to all automotive goods produced by that producer, subtracting any sales promotion, marketing and after-sales service costs, royalties, shipping and packing costs, and non-allowable interest costs that are included

in the total cost of all those goods, and then reasonably allocating the resulting net cost of those goods to the good;

- (b) calculating the total cost incurred with respect to all automotive goods produced by that producer, reasonably allocating the total cost to the good, and then subtracting any sales promotion, marketing and after-sales service costs, royalties, shipping and packing costs, and non-allowable interest costs that are included in the portion of the total cost allocated to the good; or
- (c) reasonably allocating each cost that forms part of the total cost incurred with respect to the good, so that the aggregate of these costs does not include any sales promotion, marketing and after-sales service costs, royalties, shipping and packing costs, and non-allowable interest costs, provided that the allocation of all those costs is consistent with the provisions regarding the reasonable allocation of costs set out in Generally Accepted Accounting Principles.

For the purpose of this paragraph, **reasonably allocate** means to apportion in an appropriate manner under Generally Accepted Accounting Principles.

3. **Total cost** means all product costs, period costs and other costs for a good incurred in the territory of one or more of the Parties, where:

- (a) product costs are costs that are associated with the production of a good and include the value of materials, direct labour costs and direct overheads;
- (b) period costs are costs, other than product costs, that are expensed in the period in which they are incurred, such as selling expenses and general and administrative expenses; and
- (c) other costs are all costs recorded on the books of the producer that are not product costs or period costs, such as interest.

Total cost does not include profits that are earned by the producer, regardless of whether they are retained by the producer or paid out to other persons as dividends, or taxes paid on those profits, including capital gains taxes.

4. **Costs of sales promotion, marketing and after-sales services of goods** means the following costs:

- (a) sales and marketing promotion; media advertising; advertising and market research; promotional and demonstration materials; displayed goods; sales promotion conferences, trade shows and trade conventions; banners; marketing exhibitions; free samples; sales, marketing and after-sales services literature such as product brochures, catalogs, technical literature, price lists, service manuals and sales aid information;

establishment and protection of logos and trademarks; sponsorships; wholesale and retail restocking charges, and entertainment;

- (b) sales and marketing incentives; consumer, retailer, or wholesaler rebates; and merchandise incentives;
- (c) wages and salaries, sales commissions; bonuses; benefits such as medical, insurance and pension benefits; traveling and living expenses; and membership and professional fees for sales promotion, marketing and after-sales service personnel;
- (d) recruiting and training of sales promotion, marketing and after-sale services personnel, and after-sales training of customers' employees if those costs are identified separately for sales promotion, marketing and after-sales services of goods on the financial statements or cost account of the producer;
- (e) product liability insurance;
- (f) office supplies for sales promotion, marketing and after-sales services of goods, if those costs are identified separately for sales promotion, marketing and after-sales services of goods on the financial statements or cost accounts of the producer;
- (g) telephone, mail and other communications, if those costs are identified separately for sales promotion, marketing and after-sales services of goods on the financial statements or cost accounts of the producer;
- (h) rents and depreciation of sales promotion, marketing and after-sales service offices, and distribution centres;
- (i) property insurance premiums, taxes, cost of utilities and repair and maintenance of sales promotion, marketing and after-sales service office and distribution centres, if those costs are identified separately for sales promotion, marketing and after-sales services of goods on the financial statements or cost accounts of the producer; and
- (j) payments by the producer to other persons for warranty repairs.

5. **Shipping and packing costs** means costs incurred to pack a good for shipment and to ship the good from the point of direct shipment to the buyer, excluding costs to prepare and package the good for retail sale.

6. **Royalties** mean payments of any kind, including payments under technical assistance or similar agreements, made as consideration for the use or right to use any copyright; literary, artistic or scientific work; patent; trademark; design; model; plan; secret formula or process, excluding

those payments under technical assistance or similar agreements that can be related to specific services such as:

- (a) personnel training, without regard to where that training is performed; or
- (b) engineering, tooling, die-setting, software design and similar computer services, or other services,

if performed in the territory of one or more of the Parties.

7. **Non-allowable interest** costs mean interest costs incurred by a producer that exceed 700 basis points above the yield on debt obligations of comparable maturities issued by the central level of government of the Party in which the producer is located.

8. Each Party shall provide that, for the purposes of the Net Cost Method for motor vehicles of heading 87.01 through 87.06, the calculation may be averaged over the producer's fiscal year using any one of the following categories, on the basis of all motor vehicles in the category or only those motor vehicles in the category that are exported to the territory of the other Party:

- (a) the same model of line of motor vehicles in the same class of motor vehicles produced in the same plant in the territory of a Party;
- (b) the same class of motor vehicles produced in the same plant in the territory of a Party;
- (c) the same model line of motor vehicles produced in the territory of a Party; or
- (d) any other category as the Parties may decide.

9. For the purposes of paragraph 8:

- (a) **class of motor vehicles** means any one of the following categories of motor vehicles:
 - (i) motor vehicles classified under subheading 8701.20, motor vehicles for the transport of 16 or more persons classified under subheading 8702.10 or 8702.90, and motor vehicles classified under subheading 8704.10, 8704.22, 8704.23, 8704.32 or 8704.90, or heading 87.05 or 87.06;
 - (ii) motor vehicles classified under subheading 8701.10 or subheadings 8701.30 through 8701.90;
 - (iii) motor vehicles for the transport of 15 or fewer persons classified under subheading 8702.10 or 8702.90, and motor vehicles classified under subheadings 8704.21 or 8704.31; or

(iv) motor vehicles classified under subheadings 8703.21 through 8703.90.

(b) **model line of motor vehicles** means a group of motor vehicles having the same platform or model name.

10. Each Party shall provide that, for the purposes of Net Cost Method, for automotive materials of heading 87.06 produced in the same plant, a calculation may be averaged:

(a) over the fiscal year of the motor vehicle producer to whom the good is sold;

(b) over any quarter or month; or

(c) over the fiscal year of the producer of the automotive material,

provided that the good was produced during the fiscal year, quarter or month forming the basis for the calculation, in which:

(i) the average in subparagraph (a) is calculated separately for those goods sold to one or more motor vehicle producers; or

(ii) the average in subparagraph (a) or (b) is calculated separately for those goods that are exported to the territory of the other Party.

Article 4.6: Materials Used in Production

1. Each Party shall provide that if a non-originating material undergoes further production such that it satisfies the requirements of this Chapter, the material is treated as originating when determining the originating status of the subsequently produced good, regardless of whether that material was produced by the producer of the good.

2. Each Party shall provide that if a non-originating material is used in the production of a good, the following may be counted as originating content for the purpose of determining whether the good meets a regional value content requirement:

(a) the value of processing of the non-originating materials undertaken in the territory of one or more of the Parties; and

(b) the value of any originating material used in the production of the non-originating material undertaken in the territory of one or more of the Parties.

Article 4.7: Value of Materials Used in Production

Each Party shall provide that for the purposes of this Chapter, the value of a material is:

- (a) for a material imported by the producer of the good, the value of the material at the time of importation, including the costs incurred in the international shipment of the material;
- (b) for a material acquired in the territory where the good is produced:
 - (i) the price paid or payable by the producer in the Party where the producer is located;
 - (ii) the value as determined for an imported material in subparagraph (a); or
 - (iii) the earliest ascertainable price paid or payable in the territory of the Party; or
- (c) for a material that is self-produced:
 - (i) all the costs incurred in the production of the material, which includes general expenses; and
 - (ii) an amount equivalent to the profit added in the normal course of trade, or equal to the profit that is usually reflected in the sale of goods of the same class or kind as the self-produced material that is being valued.
- (d) the values referred to in subparagraph (a) and (b) shall be determined in accordance with the Customs Valuation Agreement.

Article 4.8: Indirect Materials

An indirect material shall be considered as originating without regard to where it is produced.

Article 4.9: Minimal Operations or Processes that do not Confer Origin

Notwithstanding any provision in this Chapter, a good shall not be considered to have satisfied the requirements for an originating good under merely by reason of going through any of the following operations:

- (a) operations to ensure preservation of the goods in good condition during transport and storage, such as drying, freezing, ventilation, chilling;
- (b) sifting, classifying, washing, slitting, bending, coiling, uncoiling;

- (c) cleaning, including the removal of dust, oxide, oil, paint or other coverings;
- (d) painting and polishing operations;
- (e) placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other packaging operations;
- (f) packaging, changes of packaging and unpacking operations and the breaking up and grouping of consignments;
- (g) mere dilution with water or other substances that do not materially alter the characteristics of the goods; and
- (h) the combination of two or more operations referred to in subparagraphs (a) through (g).

Article 4.10: Accumulation

1. Materials originating in Singapore shall be considered as materials originating in a Party to the Pacific Alliance when incorporated into a good produced there and exported to Singapore, provided that those materials satisfy all applicable requirements of this Chapter.

2. Materials originating in a Party to the Pacific Alliance shall be considered as materials originating in Singapore when incorporated into a good produced there and exported to the same Party to the Pacific Alliance, provided that those materials satisfy all applicable requirements of this Chapter.

3. Materials originating in a Party to the Pacific Alliance shall be considered as materials originating in Singapore when further processed or incorporated into a good produced there and exported to another Party to the Pacific Alliance, provided that those materials satisfy all applicable requirements of this Chapter.

4. For paragraph 3, at the time of accumulation, those materials and the good shall be subject to a tariff rate of 0% according to the application of the respective tariff schedules under this Agreement.

5. Materials originating in a Party to the Pacific Alliance shall be considered as materials originating in another Party to the Pacific Alliance in accordance with all applicable provisions of the Additional Protocol to the Pacific Alliance Framework Agreement and its Annex 4.2 Product

Specific Rules of Origin (“PA’s PSRs”) when further processed or incorporated into a good produced there and exported to Singapore.

6. Notwithstanding paragraph 5, the good exported to Singapore shall meet the provisions set out on Annex 4-A and other applicable provisions of this Chapter when claiming for preferential treatment in Singapore.

7. For paragraphs 5 and 6, at the time of accumulation, those materials and the good shall be subject to a tariff rate of 0% according to the application of the respective tariff schedules in the Additional Protocol to the Pacific Alliance Framework Agreement and in this Agreement.

8. If any other Party to the Pacific Alliance participates in the accumulation referred to in paragraph 5, its materials shall be subject to a tariff rate of 0% according to the application of the related tariff schedules in the Additional Protocol to the Pacific Alliance Framework Agreement.

9. Materials originating in Singapore shall be considered as materials originating in a Party to the Pacific Alliance when further processed or incorporated into a good produced there and exported to another Party to the Pacific Alliance.

10. Those materials referred to in paragraph 9 shall be considered originating if they meet the product specific rules of origin set out in Annex 4-A and all applicable provisions of this Agreement.

11. Notwithstanding paragraph 10, the good exported to a Party to the Pacific Alliance shall meet all applicable provisions of PA’s PSRs when claiming for preferential treatment in the importing Party.

12. For paragraphs 9, 10 and 11, at the time of accumulation, those materials and the good shall be subject to a tariff rate of 0% according to the application of the respective tariff schedule in this Agreement and the Additional Protocol to the Pacific Alliance Framework Agreement.

13. If any other Party to the Pacific Alliance participates in the accumulation referred to in paragraph 9, its material shall be subject to a tariff rate of 0% according to the application of the related tariff schedules in the Additional Protocol to the Pacific Alliance Framework Agreement.

Article 4.11: De Minimis

1. A good that does not satisfy the applicable change in tariff classification requirement pursuant to Annex 4-A shall, nonetheless, be an originating good if:

- (a) for a good, other than that provided for in Chapters 50 through 63 of the Harmonized System, the value of all non-originating materials used in the production of the good that did not undergo the required change in tariff classification does not exceed 10 per cent of the FOB value of the good; or
- (b) for a good provided for in Chapters 50 through 63 of the Harmonized System, the total weight of all non-originating fibres and yarns of the component that determines the tariff classification of the good used in the production of the good that did not undergo the required change in tariff classification does not exceed 10 per cent of the total weight of the good,

and the good satisfies all other applicable requirements of this Chapter.

2. If a good described in paragraph 1 is also subject to a regional value content requirement, the value of those non-originating materials shall be included in the value of non-originating materials for the applicable regional value content requirement.

Article 4.12: Fungible Goods and Materials

1. Each Party shall provide that a fungible good or material is treated as originating based on the:

- (a) physical segregation of each fungible good or material; or
- (b) use of any inventory management method recognised in the Generally Accepted Accounting Principles of the Party in which production is performed if the fungible good or material is commingled.

2. Once a particular inventory management method is selected under paragraph 1(b), that method shall continue to be used for those fungible materials or goods throughout the fiscal year of the person that selected the inventory management method.

Article 4.13: Accessories, Spare Parts, Tools, and Instructional or Other Information Materials

1. If a good is wholly obtained or produced in accordance with Article 4.2(a) or Article 4.2(b), or satisfies a process or change in tariff classification requirement set out in Annex 4-A, accessories, spare parts, tools, and instructional or other information materials are to be disregarded for qualification and to determine the origin.

2. If a good is subject to the regional value content requirement, the value of the accessories, spare parts, tools, and instructional or other information materials shall be taken into account as originating or non-originating materials, as the case may be, in calculating the regional value

content of the good.

3. Each Party shall provide that a good's accessories, spare parts, tools, and instructional or other information materials, as described in paragraph 4, have the originating status of the good with which they are delivered.

4. For the purpose of this Article, accessories, spare parts, tools, and instructional or other information materials are covered when:

- (a) the accessories, spare parts, tools, and instructional or other information materials are classified with, delivered with and not invoiced separately from the good; and
- (b) the types, quantities and value of the accessories, spare parts, tools, and instructional or other information materials are customary for that good.

Article 4.14: Packaging Materials and Containers for Retail Sale

1. Each Party shall provide that packaging materials and containers in which a good is packaged for retail sale, if classified with a good, are disregarded when determining whether the good meets the specified change in tariff classification requirement set out in Annex 4-A.

2. Each Party shall provide that packaging materials and containers in which a good is packaged for retail sale, if classified with a good, are taken into account as originating or non-originating, as the case may be, when determining whether the good meets the regional value content requirement set out in Annex 4-A.

3. Each Party shall provide that packaging materials and containers in which a good is packaged for retail sale, if classified with the good, are disregarded if the good is wholly obtained or produced in the territory of one or more Parties, in accordance with Article 4.2(a) or is exclusively produced from originating materials in accordance with Article 4.2(b).

Article 4.15: Packing Materials and Containers for Shipment

Packing materials and containers for shipment shall be disregarded in determining whether a good is originating.

Article 4.16: Sets of Goods

1. Each Party shall provide that for a set classified as a result of the application of rule 3(a) or (b) of the General Rules for the Interpretation of the Harmonized System, the originating status of the set shall be determined in accordance with the product specific rule of origin that applies to the set.

2. Each Party shall provide that for a set classified as a result of the application of rule 3(c) of the General Rules for the Interpretation of the Harmonized System, the set is originating only if each good in the set is originating and both the set and the goods meet the other applicable requirements of this Chapter.

3. Notwithstanding paragraph 2, for a set classified as a result of the application of rule 3(c) of the General Rules for the Interpretation of the Harmonized System, the set is originating if the value of all the non-originating goods in the set does not exceed 12 per cent of the value of the set.

4. For the purposes of paragraph 3, the value of the non-originating goods in the set and the value of the set shall be calculated in the same manner as the value of non-originating materials and the value of the good.

Article 4.17: Transit and Transshipment

1. Each Party shall provide that an originating good retains its originating status if the good has been transported from the exporting Party to the importing Party without passing through the territory of one or more States that are not the exporting Party or the importing Party.

2. Each Party shall provide that if an originating good is transported through the territory of one or more States that are not the exporting Party or the importing Party, the good retains its originating status provided that the good:

- (a) does not undergo any operation outside the territories of the exporting Party or the importing Party other than: unloading; reloading; splitting up; storing; labelling or marking required by the importing Party; or any other operation necessary to preserve it in good condition; and
- (b) remains under customs control in the territory of one or more States that are not the exporting Party or the importing Party.

Article 4.18: Consultations and Modifications

All Parties to the Pacific Alliance shall notify Singapore on an annual basis of any changes to PA's PSRs. If PA's PSRs are modified, all Parties to the Pacific Alliance and Singapore shall hold consultations regarding the review of Annex 4-A one year after the entry into force of the aforementioned modification.

Section B: Origin Procedures

Article 4.19: Certification of Origin

1. Each Party shall provide that an importer may make a claim for preferential tariff treatment based on a certification of origin completed by an exporter or a producer, in accordance with Annex 4-B, for the purpose of certifying that a good being exported from the territory of a Party into the territory of the importing Party qualifies as an originating good.
2. Each Party shall provide that if a producer certifies the origin of a good, the certification of origin is completed on the basis of the producer having supporting documents that demonstrate that the good is originating.
3. A certification of origin completed by an exporter who is not the producer of the good shall be based on:
 - (a) supporting documents in its possession that demonstrate that the good qualifies as an originating good;
 - (b) its reasonable reliance on the producer's written representation, based on information in the producer's possession that the good qualifies as an originating good; or
 - (c) a completed certification of origin for the good, voluntarily provided to the exporter by the producer.
4. Nothing in paragraph 3 shall be construed to require a producer to provide a certification of origin to an exporter.
5. Each Party shall provide that the certification of origin for a good imported into its territory may be completed in English or Spanish. Each Party may nonetheless require the importer to submit a translation of the certification of origin into a language of the importing Party.
6. Each Party shall permit certification of origin to apply to:
 - (a) a single shipment of one or more goods into the Party's territory; or
 - (b) multiple shipments of identical goods into the Party's territory that occur within any period specified in the certification of origin, but not exceeding 12 months.
7. Each Party shall provide that the certification of origin shall be valid for one year from the date of its signature or for such longer period specified by the laws and regulations of the importing Party.
8. Each Party shall provide that a certification of origin:

- (a) need not follow a prescribed format;
- (b) be in writing, including digital format;
- (c) specifies that the good is both originating and meets the requirements of this Chapter;
and
- (d) contains a set of minimum data requirements as set out in Annex 4-B.

9. Each Party shall allow the certification of origin to be completed and submitted in an electronic manner, including digital format, and shall accept the submission of the certification of origin with an electronic or digital signature.

Article 4.20: Non-Party Invoice

A Party shall not reject a claim for preferential tariff treatment for the sole reason that the invoice was issued in a non-Party.

Article 4.21: Minor Errors or Discrepancies

A Party shall not reject a certification of origin due to minor errors or discrepancies in the certification of origin that do not create doubts concerning the correctness of the information contained in the import documentation. A difference between the tariff classification (HS code) of the good in the certification of origin and the import declaration would not constitute a minor error.

Article 4.22: Waiver of Certification of Origin

The certification of origin shall not be required if:

- (a) the customs value of the imported good does not exceed US\$ 1,000 (United States dollars) or its equivalent in the currency of the importing Party or a higher amount as the importing Party may establish, provided that the importation does not form part of a series of importations carried out or planned with the purpose of evading compliance with the certification requirements set out in Article 4.19; or
- (b) it is a good for which the importing Party has waived the requirement for a certification of origin.

Article 4.23: Obligations Regarding Importations

1. Except as otherwise provided in this Chapter, each Party shall require an importer in its territory that claims preferential tariff treatment to:

- (a) make a declaration that the good qualifies as an originating good;
- (b) have a valid certification of origin in its possession at the time the declaration referred to in subparagraph (a) is made;
- (c) provide, on the request of the importing Party, a copy of the certification of origin and such other documentation relating to the importation of the good in accordance with the laws and regulations of the importing Party;
- (d) if required by a Party to demonstrate that the requirements in Article 4.17 have been satisfied, provide relevant documents, such as transport documents, and in the case of storage, storage or customs documents; and
- (e) present a corrected declaration and pay any customs duty owing, if the importer has reason to believe that the certification of origin on which the declaration of importation was based contains incorrect information.

2. An importing Party shall not subject an importer to a penalty for making an invalid claim for preferential tariff treatment if the importer, on becoming aware that such claim is not valid and prior to discovery of the error by that Party, voluntarily corrects the claim and pays any applicable customs duty under the circumstances provided for under the Party's laws and regulations.

3. The importing Party may deny preferential tariff treatment to the good if the importer fails to comply with any applicable requirement under this Chapter.

Article 4.24: Refund of Customs Duties

If a good would have qualified as an originating good when it was imported into the territory of a Party, but no claim for preferential tariff treatment was made at the time of importation, the importing Party shall permit the importer, within a period of at least one year, or for such longer period specified by the importing Party's laws and regulations, after the date of importation, to make a claim for preferential tariff treatment and request a refund of customs duties paid in excess, provided that the request is accompanied by:

- (a) a written statement that the good qualified as originating at the time of importation;
- (b) the certification of origin; and
- (c) any other documentation in connection with the importation of the good that the

customs authority requests.

Article 4.25: Obligations Regarding Exportations

1. Each Party shall provide that an exporter or a producer in its territory that completes a certification of origin shall submit a copy of that certification of origin to the exporting Party, on its request.
2. Each Party may provide that a false certification of origin or other false information provided by an exporter or a producer in its territory to support a claim that a good exported to the territory of the other Party is originating has the same legal consequences, with appropriate modifications, as those that would apply to an importer in its territory that makes a false statement or representation in connection with an importation.
3. Each Party shall provide that if an exporter or a producer in its territory has provided a certification of origin and has reason to believe that it contains or is based on incorrect information, the exporter or the producer shall promptly notify, in writing, every person to whom the exporter or the producer provided the certification of origin of any change that could affect the accuracy or validity of the certification of origin.
4. A Party shall not impose penalties on an exporter or a producer in its territory that voluntarily provides, prior to the discovery of the error by that Party, written notification pursuant to paragraph 3 with respect to the making of an incorrect certification of origin.

Article 4.26: Records

1. Each Party shall provide that an exporter or a producer in its territory that provides a certification of origin referred to in Article 4.19 shall maintain, for a period of no less than five years after the date the certification of origin was signed, all records necessary to demonstrate that the good for which the exporter or the producer provided the certification of origin was an originating good.
2. Such records may include documents related to:
 - (a) the purchase, cost, value, transport and shipping of the exported good;
 - (b) the purchase, cost and value of all materials, including indirect materials, used in the production of the exported good; and
 - (c) the production of the good in the form in which it was exported.
3. Each Party shall require an importer claiming preferential tariff treatment for a good imported

into its territory to maintain documentation relating to the importation of the good, including a copy of the certification of origin, for a period of no less than five years after the date of importation of the good.

4. Each Party shall provide that an importer, exporter or producer in its territory may choose to maintain the documentation or records specified in paragraphs 1 to 3 in any medium that allows for prompt retrieval, including electronic, optical, magnetic or written form, in accordance with that Party's laws and regulations.

5. A Party may deny preferential tariff treatment to a good that is the subject of a verification of origin where the exporter, producer or importer of the good that is required to maintain records or documentation under this Article:

- (a) fails to maintain records or documentation relevant to determining the origin of the good in accordance with the requirements of this Chapter; or
- (b) denies access to such records or documentation.

Article 4.27: Verification of Origin

1. For the purpose of determining whether a good imported into its territory is originating, the importing Party may conduct a verification of any claim for preferential tariff treatment by one or more of the following:

- (a) a written request for information, including documentation from the importer of the good;
- (b) a written request for information, including documentation from the exporter or producer of the good;
- (c) a verification visit to the premises of the exporter or producer of the good in order to request information, including documentation, and to observe the production process and the facilities used in the production of the good; or
- (d) any other procedure as may be mutually decided by the Parties.

2. If an importing Party conducts a verification, it shall accept information, including documentation, directly from the importer, exporter or producer.

3. If in response to a request for information by an importing Party under paragraph 1(a), the importer does not provide information to the importing Party or the information provided is not sufficient to demonstrate that the good is originating, the importing Party shall request information from the exporter or producer under paragraph 1(b) or 1(c) before it may deny the claim for preferential tariff treatment. The importing Party shall complete the verification, including any

additional request to the exporter or producer under paragraph 1(b) or 1(c), within the time provided in paragraph 6(e).

4. Any request under paragraphs 1(a) through 1(c) shall:
 - (a) be in English or in an official language of the Party of the person to whom the request is made;
 - (b) include the identity of the government authority issuing the request;
 - (c) state the reason for the request, including the specific issue the requesting Party seeks to resolve with the verification;
 - (d) include sufficient information to identify the good that is being verified;
 - (e) include a copy of relevant information submitted with the good, including if possible, the certification of origin; and
 - (f) in the case of a verification visit, request the written consent of the exporter or producer whose premises are going to be visited, and state the proposed date and location for the visit and its specific purpose.
5. If an importing Party has initiated a verification in accordance with paragraph 1(b) or 1(c), it shall inform the importer of the initiation of the verification.
6. For a verification under paragraphs 1(a) through 1(c), the importing Party shall:
 - (a) ensure that a written request for information and for documentation to be reviewed during a verification visit, is limited to information and documentation to determine whether the good is originating;
 - (b) describe the information or documentation in sufficient detail to allow the importer, exporter or producer to identify the information and documentation necessary to respond;
 - (c) allow the importer, exporter or producer at least 30 days from the date of receipt of the written request for information under paragraph 1(a) or 1(b) to respond;
 - (d) allow the exporter or producer 30 days from the date of receipt of the written request for a visit under paragraph 1(c) to consent or refuse the visit request; and
 - (e) make a determination following a verification as expeditiously as possible within 90 days after it receives the information necessary to make the determination, including, if applicable, any information received under paragraph 9, and no later than 365 days after the first request for information or other action under paragraph 1. If permitted by

its laws and regulations, a Party may extend the periods of 90 and 365-days in exceptional cases, such as where the technical information concerned is very complex.

7. If an importing Party makes a verification request under paragraph 1(b), it shall inform the Party where the exporter or producer is located, in accordance with the importing Party's laws and regulations. In addition, on request of the importing Party, the Party where the exporter or producer is located may, as it deems appropriate and in accordance with its laws and regulations, assist with the verification. This assistance may include providing a contact point for the verification, collecting information from the exporter or producer on behalf of the importing Party, or other activities in order that the importing Party may make a determination as to whether the good is originating. The importing Party shall not deny a claim for preferential tariff treatment solely on the ground that the Party where the exporter or producer is located did not provide requested assistance.

8. If an importing Party initiates a verification under paragraph 1(c), it shall, at the time of the request for the visit, inform the Party where the exporter or producer is located and provide the opportunity for the officials of the Party where the exporter or producer is located to accompany them during the visit.

9. Prior to issuing a written determination, the importing Party shall inform the importer and any exporter or producer that provided information directly to the importing Party, of the results of the verification and, if the importing Party intends to deny preferential tariff treatment, provide those persons a period of at least 30 days for the submission of additional information relating to the origin of the good.

10. The importing Party shall provide the exporter or producer that certified the good was originating and is the subject of a verification, with a written determination of whether the good is originating, including findings of facts and the legal basis for the determination.

11. During verification, the importing Party shall allow the release of the good, subject to payment of duties or provision of security as provided for under its laws and regulations. If as a result of the verification the importing Party determines that the good is an originating good, it shall grant preferential tariff treatment to the good and refund any excess duties paid or release any security provided, unless the security also covers other obligations.

12. If verifications of identical goods by a Party indicate a pattern of conduct by an importer, exporter or producer of false or unsupported representations relevant to a claim that a good imported into its territory qualifies as an originating good, the Party may withhold preferential tariff treatment to identical goods imported, exported or produced by that person until that person demonstrates that the identical goods qualify as originating. For the purposes of this paragraph, "identical goods" means goods that are the same in all respects relevant to the particular rule of origin that qualifies the goods as originating.

13. For the purpose of a verification request, it is sufficient for a Party to rely on the contact information of an exporter, producer or importer in a Party provided in a certification of origin.

14. For purposes of this Article, any communication that requires response within a specified timeframe shall be sent by any means that can produce a confirmation of receipt. The timeframes referred to in this Article shall begin from the date of such receipt.

Article 4.28: Determinations of Origin

1. Each Party shall grant a claim for preferential tariff treatment made in accordance with this Chapter for a good that arrives in its territory on or after the date of entry into force of this Agreement for that Party. In addition, if permitted by the importing Party, the importing Party shall grant a claim for preferential tariff treatment made in accordance with this Chapter for a good which is imported into its territory or released from customs control on or after the date of entry into force of this Agreement for that Party.

2. The importing Party may deny a claim for preferential tariff treatment if:

- (a) it determines that the good does not qualify for preferential tariff treatment according to the applicable provisions of this Chapter;
- (b) pursuant to a verification under Article 4.27, it has not received sufficient information to determine that the good qualifies as originating;
- (c) the exporter, producer or importer fails to respond to a written request for information in accordance with Article 4.27;
- (d) after receipt of a written notification for a verification visit, the exporter or producer does not provide its written consent for a verification visit in accordance with Article 4.27;
- (e) the exporter, producer or importer of a good that is subject to a verification of origin fails to maintain records or documentation relevant to determining the origin of the good in accordance with the requirements of this Chapter or denies access to such records or documentation; or
- (f) the exporter, producer or importer fails to comply with the requirements of this Chapter.

3. If an importing Party denies a claim for preferential tariff treatment, it shall issue a determination to the importer that includes the reasons for the determination.

Article 4.29: Penalties

Each Party shall establish or maintain measures that allow for the imposition of criminal, civil or administrative penalties for violations of its laws and regulations relating to this Chapter.

Article 4.30: Confidentiality

1. Each Party shall maintain, in accordance with its laws and regulations, the confidentiality of the information collected under this Chapter and shall protect that information from disclosure that could prejudice the competitive position of a person to whom the information relates. If the Party collecting information is required by its laws and regulations to disclose the information, that Party shall notify the person or Party who provided that information.
2. Each Party shall ensure that the information collected under this Chapter is not used for purposes other than the administration or enforcement of determinations of origin, except with the authorisation of the person or Party who provided the information.
3. Notwithstanding paragraph 2, a Party may allow information collected under this Chapter to be used in any administrative, quasi-judicial or judicial proceedings instituted for failure to comply with its related laws and regulations.

Article 4.31: Administration of this Chapter and Chapter 5

1. Matters relating to administration of this Chapter and Chapter 5 (Customs Administration and Trade Facilitation) shall be considered by the Parties through the Trade in Goods Committee established under Article 22.5(a) (Establishment of Cross-Cutting Committees).
2. The Trade in Goods Committee shall have the following additional functions under this Chapter and Chapter 5 (Customs Administration and Trade Facilitation), as the case may be:
 - (a) consulting with a view to ensuring that this Chapter and Chapter 5 (Customs Administration and Trade Facilitation) are administered consistently and uniformly with the objectives of this Agreement;
 - (b) consulting to discuss possible amendments or modifications to this Chapter, its Annexes and its Appendices and Chapter 5 (Customs Administration and Trade Facilitation), taking into account developments in technology, production processes or other related matters;
 - (c) preparing updates to this Chapter that are necessary to reflect changes to the Harmonized System;
 - (d) resolving any discrepancy related to tariff classification. If the Committee does not reach a decision on this matter, it may make appropriate consultations to the World Customs Organization whose recommendation shall be taken into consideration by the

Parties;

- (e) consulting on the technical aspects of submission and the format of the electronic certification of origin; and
- (f) endeavour to develop cooperation actions for accumulation, verification procedures and exchange of information to ensure the correct implementation of this Chapter, in particular for origin determination.

Article 4.32: Committee on Short Supply

The Parties establish a Committee on Short Supply (“CSS”), which shall operate in accordance with the provisions in Annex 4-C.

Article 4.33: CSS Criteria

1. Any Party may request a waiver for the use of non-originating materials classified under Chapters 50 through 60 of the Harmonized System (HS) used in the production of a good classified under Chapter 50 through 63 of the Harmonized System (HS). If a waiver is granted, such non-originating material shall be accepted as originating material in fulfilling the product specific rules of origin set out in Annex 4-A for such good. A waiver shall only be sought if the requested material cannot be supplied from any or all of the Parties due to any of the shortage situations stipulated in paragraph 18 of Annex 4-C.

2. For the purposes of paragraph 1, the CSS shall execute the procedure established in Annex 4-C. In the case there is supply of the requested material in the territory of the Parties, representatives of the CSS shall guarantee to the requesting Party that the shortage situations do not exist as stipulated in paragraph 18 of Annex 4-C (Committee on Short Supply), in accordance with the information provided in the investigation and the procedure provided in Annex 4-C.

3. If the requesting Party does not receive a response within the timeframe stipulated under Annex 4-C or there is no supply of the requested material, it shall be understood that there is a shortage situation in the territory of the Parties. The usage of the non-originating material shall start from the date of entry into force of the decision issued by the CSS in accordance with the procedure established in Annex 4-C.

ANNEX 4-B

MINIMUM DATA REQUIREMENTS

A certification of origin that is the basis for a claim for preferential tariff treatment under this Agreement shall include the following elements:

1. Exporter or Producer Certification of Origin

Indicate whether the certifier is the exporter or producer in accordance with Article 4.19.

2. Exporter

Provide the exporter's name, address (including country), e-mail address and telephone number, if different from the producer. This information is not required if the producer is completing the certification of origin and does not know the identity of the exporter. The address of the exporter shall be the place of export of the good in the territory of a Party.

3. Producer

Provide the producer's name, address (including country), e-mail address and telephone number, if different from the exporter or, if there are multiple producers, state "Various" or provide a list of producers. A person that wishes for this information to remain confidential may state "Available upon request by the importing authorities". The address of a producer shall be the place of production of the good in the territory of a Party.

4. Importer

Provide, if known, the importer's name, address, e-mail address and telephone number. The address of the importer shall be in the territory of a Party.

5. Description and HS Tariff Classification of the Good

- (a) Provide the description of the good and the HS tariff classification of the good to the 6-digit level. The description should be sufficient to relate it to the good covered by the certification of origin; and
- (b) If the certification of origin covers a single shipment of a good, indicate, if known, the invoice number related to the exportation.

6. Origin Criterion

Specify the rule of origin under which the good qualifies as an originating good.

7. Blanket Period

Include the period if the certification of origin covers multiple shipments of identical goods for a specified period of up to 12 months as set out in Article 4.19.

8. Authorised Signature and Date

The certification of origin must be signed and dated by the certifier and accompanied by the following statement:

“I certify that the goods described in this document qualify as originating and the information contained in this document is true and accurate. I assume responsibility for proving such representations and agree to maintain and present upon request or to make available during a verification visit, documentation necessary to support this certification.”

ANNEX 4-C

COMMITTEE ON SHORT SUPPLY

CSS Members

1. The CSS shall consist of a government official of all Parties to the Pacific Alliance and Singapore, as set out in Appendix 4-C.2.

CSS functions

2. The CSS shall assess if the waiver request for the usage of non-originating material, put forth by Singapore or any Party to the Pacific Alliance, based on request from one or more producers, constitutes any of the shortage situations stipulated in paragraph 18 of this Annex.

3. The CSS shall monitor the implementation and administration of this Annex and, if deemed necessary, propose to the Free Trade Commission the modifications it deems appropriate for its implementation.

Types of waivers and required information

For new materials

4. New materials refer to materials that are not incorporated in existing waivers, for which the procedure provided in this Annex shall apply.

To increase the quantity

5. After 12 months of validity of a waiver, an increase of the approved quantity may be requested by the representative of the CSS of the requesting Party, for waiver cases based on specified quantity, for consideration by the other representatives of the CSS.

Procedure

Beginning of the Procedure

6. For the purposes of Article 4.33, the representative of the CSS of the requesting Party shall submit a waiver application by email to the other representatives of the CSS. The request shall be submitted on the same day to all the CSS representatives and shall be accompanied by the technical table of Appendix 4-C.1 of this Annex, duly completed according to the type of material. In addition, if the requesting Party considers it appropriate, it may submit additional documentation and samples of the requested material to support its application.

7. The other representatives of the CSS shall be responsible for making the corresponding consultations with their private sector, in accordance with its internal mechanisms.

8. The CSS shall have the authority to make decisions related to procedures, such as

determining the location, date, means through which meetings are held, the format design of its determination, among others.

Decision of the CSS

9. Each representative of the CSS that receives an application for waiver in accordance with paragraph 6 shall answer the application within 15 days from the CSS's receipt of the application.

10. If one or more representatives of the CSS respond to state that there is supply of the requested material in its territory according to the specifications of the technical table on Appendix 4-C.1, the CSS shall initiate an investigation to determine if the material is available under the terms specified in the waiver request.

11. The CSS shall have a period of seven days from the timeframe specified on paragraph 9 to complete the investigation. The CSS shall make its decision within three days after that deadline.

12. If CSS representatives respond that there is no supply of the requested material in their respective territories or did not respond to the request within the timeframe noted in paragraph 9, it shall be understood that there is a shortage situation in the territory of all Parties to the Pacific Alliance and Singapore and the CSS shall make its decision within three days following that timeframe.

13. The CSS representative of the requesting Party shall draw up a draft of the decision referred to in paragraphs 11 and 12 and circulate it by e-mail to the other CSS representatives for its consideration.

14. Once the decision has been made, the CSS representative of the requesting Party shall send it to the other CSS representatives for their signatures. The CSS representatives shall have five days to sign the document.

15. Each CSS representative shall make public any decision to grant a waiver¹. To this end, the CSS representatives shall have a period of five days after they have received the decision signed by the CSS to make public the decision.

16. The decision shall enter into force on the day on which the last Party of Singapore or all Parties to the Pacific Alliance has made it public in its territory within the period specified in paragraph 15.

17. The CSS shall adopt its decisions by consensus.

18. In accordance to the provisions of paragraph 2, the shortage situations are:

- (a) Absolute shortage

¹ In the case of Mexico, the representative of the CSS shall publish the decision in the Official Journal of the Federation.

When there is no production of the requested materials in Singapore or any Party to the Pacific Alliance. This waiver shall be granted without quantity specification and shall apply to Singapore and all Parties to the Pacific Alliance.

(b) Quantity shortage

When there are consultations with each of Singapore and any Party to the Pacific Alliance regarding the quantity requested, and it is reported that there is not enough quantity to supply the requested material. This waiver may be granted with or without quantity specifications, as requested, in accordance with Appendix 4-C.1.

(c) Shortages due to inability to meet delivery timeline

When the terms agreed between the customer and provider are not met for the delivery of the requested material or when the provider cannot deliver within the required delivery timeline. The customer request shall comply with the commercially acceptable delivery timeline of 45 days. This waiver may be granted with or without quantity specifications, as requested, in accordance with Appendix 4-C.1.

19. If the CSS agrees that the waiver shall be granted in a specific quantity, the initial quantity shall be given according to the request which must be accompanied by the technical table in Appendix 4-C.1 of this Annex. The automatic extension shall not be granted if the waiver had not been used during the timeframe provided in paragraph 26.

20. The CSS shall communicate its decision through e-mail to the Free Trade Commission on the following day after such decision has been made public.

21. If the CSS does not make its decision within the period mentioned in paragraphs 11 and 12, because there is no consensus on the case, it shall state that circumstance in the record and shall close the investigation.

22. The case shall be forwarded to the Free Trade Commission the following day after the conclusion of the investigation, if the investigation is concluded in the manner provided for in paragraph 21. The Free Trade Commission shall be deemed constituted from the third day after the matter has been submitted. It is the responsibility of the CSS representative of the requesting Party to submit the matter to the Free Trade Commission and to the other CSS representatives through e-mail.

23. The Free Trade Commission shall meet within seven days following the date on which the matter has been submitted by the CSS, and shall adopt its decision within 15 days of that date².

24. If the requesting Party does not participate in the meeting of the Free Trade Commission or in the adoption of its decision, it is understood that it has withdrawn its application.

² In the cases where the Free Trade Commission adopts the decision to grant a waiver, the CSS shall issue a determination in accordance with such decision and following the procedure provided in paragraphs 13 to 16 of this Annex.

25. Notwithstanding the provisions of Article 22.1 (Free Trade Commission), for the purposes of paragraph 23, the Free Trade Commission may meet with a minimum of Singapore and half of the Parties to the Pacific Alliance, and shall adopt its decision by consensus among the attendees. If the remaining Parties to the Pacific Alliance do not attend the Free Trade Commission meeting, it shall be understood that they joined the consensus of the attendees and adopted such decision.

26. The waiver shall be valid for two years from its entry into force, automatically renewed for the same period unless Singapore or any Party to the Pacific Alliance requests the withdrawal of any material from the waiver and provides evidence that there is supply of such material. The withdrawal may be requested after 12 months of implementation of the waiver and at least three months prior to the expiration thereof. For this purpose, the procedure followed for granting the waiver shall apply.

Exchange of information

27. For waivers granted in a specific quantity, all Parties to the Pacific Alliance and Singapore shall exchange information regarding its use annually.

General provisions

28. CSS representatives shall keep a copy of the decision for a minimum period of five years from the date it has been published, as well as of the records that served as the basis for its issuance.

29. The CSS shall at all times maintain the confidentiality of the information provided in that character.

30. For the purposes of this Annex, the mechanisms of verification and certification of this Chapter are incorporated hereby.

31. The CSS shall conduct an evaluation of its performance and the application of the provisions of this Annex and, if appropriate, shall propose to the Free Trade Commission any modifications deemed necessary to improve their operability. This evaluation shall take place after the first year from the date this Agreement enters into force, and after that, at the request of Singapore or a Party to the Pacific Alliance.

**APPENDIX 4-C.1
MATERIALS REQUESTED FOR WAIVER**

PARTY MAKING THE REQUEST:

COMPANY(S):

TYPE OF WAIVER:

Material(s) Tariff subheading	Material or Materials Description	Title (Dx) 1	No. of Filaments 2	No. of Twists per m ² 3	Weight in g/ kg per m ²	Dimensions per roll ⁴	No. Strands ⁵	Composition and type ⁶	Presentation ⁷	Finish ⁸	Weaving ⁹	Luster ¹⁰	Cross Section ¹¹	Quantity net kg ¹²	Export Tariff Classification ¹³	Estimated quantity of export goods (measure unit) ¹⁴

Note: The technical table of this Appendix shall be completed according to the type of material

¹ It is the weight in gr of 10,000 m of the yarn requested.

² The amount of filaments in the yarn.

³ The amount of twists made in the yarn.

⁴ Width and / or length (linear meters).

⁵ No. of strands in the yarn.

⁶ Yarn material requested (nylon, polyester, cotton, etc.); Type of Material (nylon 6, nylon 6.6, polyester, PBT, etc.).

⁷ Skein, reel, etc.

⁸ Unbleached, bleached, dyed, printed, coated (substance), embossed, smooth, textured, twisted, folded, etc.

⁹ System or model for interweaving warp and weft yarn.

¹⁰ Glossy, semi-matt, matt, ultramatt, etc.

¹¹ Round, sawn, etc.

¹² Request quantity. In the case of not requesting a specific quantity, indicate "unlimited".

¹³ It may be indicated in chapters, headings or subheadings. In case that no specific quantity is requested, this column does not need to be completed.

¹⁴ In case that no specific quantity is requested, this column does not need to be completed.

APPENDIX 4-C.2

CSS REPRESENTATIVES

1. The CSS shall consist of the following officials of each Party to the Pacific Alliance and Singapore, or of their designees:

- (a) in the case of Chile, the Head of Market Access Division, Undersecretariat of International Economic Affairs of the Ministry of Foreign Affairs of Chile, or its successor;
- (b) in the case of Colombia, the Director of Economic Integration of the Ministry of the Commerce, Industry and Tourism, or its successor;
- (c) in the case of Mexico, the Director General of International Trade in Goods of the Ministry of Economy, or its successor;
- (d) in the case of Peru, the General Director of Trade and International Negotiations of the Ministry of Foreign Trade and Tourism, or its successor; and
- (e) in the case of Singapore, the Director of International Trade Cluster (Goods and Standards) of the Ministry of Trade and Industry, or its successor.

2. It is the responsibility of each Party to the Pacific Alliance and Singapore to maintain this Appendix updated. To this end, each Party to the Pacific Alliance and Singapore shall notify in writing of any changes to the information in paragraph 1.