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1 ARTICLE 5

1.1 Text of Article 5

Article 5

Information and Procedures for Modification and Introduction of New Rules of Origin

1. Each Member shall provide to the Secretariat, within 90 days after the date of entry into force of the WTO Agreement for it, its rules of origin, judicial decisions, and administrative rulings of general application relating to rules of origin in effect on that date. If by inadvertence a rule of origin has not been provided, the Member concerned shall provide it immediately after this fact becomes known. Lists of information received and available with the Secretariat shall be circulated to the Members by the Secretariat.

2. During the period referred to in Article 2, Members introducing modifications, other than *de minimis* modifications, to their rules of origin or introducing new rules of origin, which, for the purpose of this Article, shall include any rule of origin referred to in paragraph 1 and not provided to the Secretariat, shall publish a notice to that effect at least 60 days before the entry into force of the modified or new rule in such a manner as to enable interested parties to become acquainted with the intention to modify a rule of origin or to introduce a new rule of origin, unless exceptional circumstances arise or threaten to arise for a Member. In these exceptional cases, the Member shall publish the modified or new rule as soon as possible.

1.2 Notification procedures

1. At its meeting of 4 April 1995, the Committee on Rules of Origin agreed that, if a notification under Article 5.1 and paragraph 4 of Annex II were to be made in a language other than one of the WTO working languages, such notification should be accompanied by a summary in one of the WTO working languages.¹

2. At its meeting of 1 February 1996, the Committee on Rules of Origin adopted a procedure to deal with queries by Members in respect of national legislation; such queries should be communicated to the Secretariat ten working days in advance of the meeting at which they are to be raised.²

1.3 Notifications under Article 5.1

3. As of 2017 when the Committee conducted its twenty-third annual review under Article 6, 48 Members applied non-preferential rules of origin; 55 Members did not apply any non-preferential rules of origin; and 33 Members had not yet submitted any notification under Article 5.³ All notifications and the relevant documents received by the Secretariat in relation to Article 5 can be accessed through the rules of origin page of the WTO website.

¹ [G/RO/M/1](#), para. 44. For more information on Members' notifications relating to preferential and non-preferential rules of origin, see [G/RO/70](#), pp. 6-8.

² [G/RO/M/5](#), para. 1.3.

³ Secretariat Background Note [G/RO/W/171](#), Annex 1.

4. In addition to notifications under Article 5 related to non-preferential rules of origin, the Committee also reviews notifications related to preferential rules of origin.⁴

Current as of: February 2019

⁴ See the general document on the Agreement on Rules of Origin (Practice) and the document on Annex II of the Agreement on Rules of Origin (Practice).