

PROPOSED AMENDMENTS TO THE CUSTOMS LAW
May 2002

RULES OF ORIGIN

NON-PREFERENTIAL ORIGIN

Article 25

Applying non-preferential origin

(1) Articles 26, 27, 27-a and 27-b are defined the non-preferential origin of goods for the purposes of:

- (a) applying the Customs Tariff with the exception of the measures referred to in Article 24 (3) (d) and (e);
- (b) applying measures other than tariff measures established by provisions governing specific fields relating to trade in goods;
- (c) the preparation and issue of certificates of origin.

Article 26

Wholly obtained or produced goods

(1) Goods originating in a country shall be those wholly obtained or produced in that country.

(2) The expression `goods wholly obtained in a country` means:

- (a) mineral products extracted within that country;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products derived from live animals raised therein;
- (e) products of hunting or fishing carried on therein;
- (f) products of sea-fishing and other products taken from the sea outside a country's territorial sea by vessels registered or recorded in the country concerned and flying the flag of the country;
- (g) goods obtained or produced on board factory ships from the products referred to in subparagraph (f) originating in that country, provided that such factory ships are registered or recorded in that country and fly its flag;
- (h) products taken from the seabed or subsoil beneath the seabed outside the territorial sea provided that that country has exclusive rights to exploit that seabed or subsoil;
- (i) waste and scrap products derived from manufacturing operations and used articles, if they were collected therein and are fit only for the recovery of raw materials;
- (j) goods which are produced therein exclusively from goods referred to in subparagraphs (a) to (i) or from their derivatives, at any stage of production.

(3) For the purposes of paragraph 2 the expression `country` covers that country's territorial sea.

(4) The Government shall prescribe the criteria concerning the procedure and the manner for proving origin of goods.

Article 27
Last substantial processing or working

Goods whose production involved more than one country shall be deemed to originate in the country where they underwent their last, substantial, economically justified processing or working in an undertaking equipped for that purpose and resulting in the manufacture of a new product or representing an important stage of manufacture.

Article 27-a
Insufficient processing or working

Any processing or working in respect of which it is established, or in respect of which the facts as ascertained justify the presumption, that its sole objects was to circumvent the provisions applicable in the Republic of Macedonia to goods from specific countries shall under no circumstances be deemed to confer on the goods thus produced the origin of the country where it is carried out within the meaning of Article 27.

Article 27-b
Additional proofs of the origin of goods

- (1) Customs legislation or other legislation of Republic of Macedonia governing specific fields may provide that a document must be produced as proof of the origin of goods.
- (2) Notwithstanding the production of that document, the customs authorities may, in the event of serious doubts, require any additional proof to ensure that the indication of origin does comply with the rules laid down by the relevant legislation of Republic of Macedonia .

Article 27-c
Preferential origin of goods

The rules on preferential origin shall lay down the conditions governing acquisition of origin which goods must fulfill in order to benefit from the measure referred to in Article 24 (3) (d) and (e).

Those rules shall:

- (a) in the case of goods covered by the agreements referred to in Article 24 (3) (d), be determined in those agreements;
- (b) in the case of goods benefiting from the preferential tariff measures referred to in Article 24 (3) (e), be determined in accordance with the national provisions.