

Rules of Determination of Origin of Goods under the Preferential Trading Agreement between the Republic of India and the Republic of Chile Rules, 2007

UNION OF INDIA

India

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Rule

RULES-OF-DETERMINATION-OF-ORIGIN-OF-GOODS-UNDER-THE-PR of 2007

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Rules of Determination of Origin of Goods under the Preferential Trading Agreement between the Republic of India and the Republic of Chile Rules, 2007Published Vide Notification No. 84/2007-Custom (N.T.), dated 17.8.2007

1647.

In exercise of the powers conferred by sub-section (1) of section 5 of the Customs Tariff Act, 1975 (51 of 1975), the Central Government hereby makes the following rules, namely.-

1. Short title and commencement.

- (i) These rules may be called the Rules of Determination of Origin of Goods under the Preferential Trading Agreement between the Republic of India and the Republic of Chile Rules, 2007 (hereinafter referred as the "Agreement").SECTION IGeneral Provisions

2. Definitions.

- For the purpose of these Rules:-(i) chapters, headings and subheadings mean the chapters, the headings and the subheadings (two, four and six digit codes respectively) used in the nomenclature

which makes up the Harmonized System or HS;(ii)CIF means the value of the good imported that includes the cost of freight and insurance up to the port or place of entry in the country of importation;(iii)classification refers to the classification of a product or material under a particular heading of the HS;(iv)customs value means the value as determined in accordance with the Article VII and the Agreement on Implementation of Article VII of GATT 1994 (WTO Agreement on Customs Valuation);(v)factory ship means any vessels, as defined, used for processing and/or making on board products exclusively from those products referred to in Clause (f) and (g) of Article 5;(v)FOB means the value of the good free on board, independent of the means of transportation, at the port or site of final shipment abroad;(v)goods means both materials and products;(vi)Harmonized System means the nomenclature which makes up the Harmonized Commodity Description and Coding System including the chapters and the corresponding number codes, section notes and chapter notes, as well as the General Rules for their interpretation;(vii)manufacture means any kind of working or processing including assembly or specific operations;(viii)material means raw materials, ingredients, parts, components, subassembly and/or goods that are physically incorporated into another good or are subject to a process in the production of another good;(ix)product means the product being manufactured, even if it is intended for later use in another manufacturing operation;(x)territory means:(a)in the case of India including its territorial waters and the air space above its territorial waters and the other maritime zones including the Exclusive Economic Zone and Continental Shelf over which Republic of India has sovereignty, sovereign rights or exclusive jurisdiction in accordance with its laws in force, the 1982 United Nations Convention on the Law of the Sea and international law; and(b)In case of Chile, the land, maritime, and air space under its sovereignty, and the Exclusive Economic Zone and the Continental Shelf within which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law; and(xi)vessel means any ship engaged in commercial fishing or commercial exploitation of marine products (on High Seas) registered with a Party and flying its flag and at least 50% of equity is owned by citizen/s, corporation or government of the Party.

SECTION IICriteria For Originating Goods

3. General requirements.

- For the purpose of implementing this Agreement, the following goods shall be considered as originating from a Party:(a)the goods wholly produced or obtained in the territory of the Party as defined in Article 5 of these Rules;(b)the goods not wholly produced in the territory of the Party, provided that the said products are eligible under Article 6 read with Article 7, and/or Article 4 of these Rules.

4. Cumulation of origin.

- Goods originating in any of the Party when used as an input for a finished product in another Party shall be considered originating in the latter.

5. Wholly produced or obtained products.

- The following shall be considered as wholly produced or obtained in the territory of a Party: (a) mineral products extracted from the soil or subsoil of any of the Parties, including its territorial seas, continental shelf or exclusive economic zone; (b) [Plants] [Plants refers to all plant life, including forestry products, fruits, flowers, vegetables, trees, sea weeds and fungi] and plant products grown, harvested, picked or gathered there including in its territorial seas, continental shelf or exclusive economic zone; (c) live animals born, and raised there, including by aquaculture; (d) products from animals as in (c) [above] [Animals referred to in paragraph (c), (d) and (e) covers all animal life, including mammals, birds, fish, crustaceans, molluscs and reptiles]. (e) Animals and products thereof obtained by hunting, trapping, collecting, fishing or and capturing there; including its inland waters, territorial seas, continental shelf or in the exclusive economic zone; (f) Products of seafishing and other marine products taken from the high seas by its vessels as defined in Article 2; (g) goods processed and/or made on board its factory ships as defined in Article 2 exclusively from the products mentioned in subparagraphs (e) and (f); (h) waste and scrap resulting from utilisation, consuming or manufacturing operations conducted in the territory of any of the Parties, provided they are fit only for the recovery of raw materials; and (i) goods produced in any of the Parties exclusively from the products specified in subparagraphs (a) to (h) above.

6. Not wholly produced or obtained products.

- For the purpose of Article 3(b), products worked on or processed as a result of which the total value of non-originating materials, or of undetermined origin used does not exceed 60% of the FOB value of the products produced or obtained and the final process of manufacture is performed within the territory of exporting Party shall be eligible for preferential treatment subject to the provisions of Article 7. (2) To qualify for preferences the non-originating materials shall be considered to be sufficiently worked or processed if the product obtained is classified in a heading, at the four digit level, of the Harmonized System different from those in which all the non-originating materials used in its manufacture are classified. (3) The customs value of the non-originating materials, parts or produce shall be: (a) the CIF value at the time of importation of the materials, parts or produce where this can be proven; or (b) the earliest ascertained price paid for the materials, parts or produce in the territory of the Party where the working or processing of the final goods takes place. (4) The value of the materials, parts or produce of undetermined origin shall be the earliest ascertained price paid for them in the territory of the Party where the working or processing of the final goods takes place. (5) The formula for 40% value added is as follows: $\frac{\text{Customs value of Non-originating Value of Undetermined Origin}}{\text{Materials, Parts or Produce} + \text{Materials, Parts or Produce}} \times 100\% < 60\%$

Materials, Parts or Produce + Materials, Parts or Produce FOB value of the final product | x 100% < 60%

(6) [Notwithstanding the provisions of the sub-rule (1) and sub-rule (2), a product shall be considered as originating if it fulfils the conditions laid down in the Annex to these rules and final process of manufacturer is performed within the territory of the exporting Party.] [Inserted by Notification No. G.S.R. 479 (E), dated 16.5.2017 (w.e.f. 17.8.2007).]

7. Processes or operations considered as insufficient to confer originating status.

- In the case of the products which have non-originating materials, the following operations, inter alia, shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Art. 6 are satisfied: (a) preserving operations to ensure that the products remain in good condition during transport and storage such as aeration, drying, refrigeration, immersion in salty or sulphured water or in water added with other substances, extraction of damaged parts and similar operations; (b) dilution in water or in any other substance which does not substantially alter the product characteristics; (c) simple operations such as removal of dust, sifting, screening, sorting, classifying, grading, matching, washing, painting, husking, stoning of seeds, slicing and cutting; (d) simple change of package and breaking up and assembly of packages; (e) simple packing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations; (f) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging; (g) simple cleaning, including removal of oxide, oil, paint or other coverings; (h) simple assembly of parts to constitute a complete article or, disassembly of products into parts, in accordance with General 2(a) of the Harmonised System; (i) slaughter of animals; (j) simple mixing of products, provided the characteristics of the obtained product are not essentially different from those of the mixed products; (k) oil application; and (l) a combination of two or more of the above operations.

8. Accessories, spare parts and tools.

- Accessories, spare parts and tools despatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be considered as originating if the good is originating and shall be disregarded in determining whether all the non-originating materials used in the production of the good undergo the applicable change in tariff classification, provided that: (a) the accessories, spare parts or tools are not invoiced separately from the good, notwithstanding they are detailed separately in the invoice; (b) the quantities and value of the accessories, spare parts or tools are customary for the goods. (2) Each Party shall provide that if a good is subject to a regional value content requirement, the value of accessories, spare parts, or tools 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.

9. Fungible Materials.

(1) Where identical and interchangeable originating and non-originating materials including materials of undetermined origin are used in the manufacture of a product, those materials shall be physically segregated, according to their origin, during storage. (2) A producer facing considerable costs or material difficulties in keeping separate stocks of identical and interchangeable originating and non-originating materials including materials of undetermined origin used in the manufacture of a product, may use the so-called "accounting segregation" method for managing stocks. (3) The

accounting method shall be recorded, applied and maintained in accordance with generally accepted accounting principles applicable in the Party in which the product is manufactured. The method chosen must:(a)permit a clear distinction to be made between originating and non originating materials including materials of undetermined origin acquired and/or kept in stock; and(b)guarantee that no more products receive originating status than would be the case if the materials had been physically segregated.(4)The producer using this facilitation shall furnish a sworn declaration for the quantity of products considered as originating and keep all documentary evidence of origin of the materials. At the request of the competent authorities of the exporting Party, the producer shall provide satisfactory information on how the stocks have been managed.(5)The competent authority may require from its exporters that the application of the method for managing stocks as provided for in this Article will be subject to prior authorisation.

10. Sets.

- Sets, as defined in General 3 of the Harmonised System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non originating goods, the set as a whole shall be regarded as originating, provided that the CIF value of the non originating goods utilized in the composition of the set does not exceed 15% per cent of the FOB price of the set.

11. Packages and packing materials for retail sale.

- The packages and packing materials for retail sale, when classified together with the packaged product, according to General 5 (b) of the Harmonised System, shall not be taken into account for considering whether all non-originating materials used in the manufacture of a product fulfil the criterion corresponding to a change of tariff classification of the said product.(2)If the product is subject to an ad valorem percentage criterion, the value of the packages and packing materials for retail sale shall be taken into account in its origin assessment, in case they are treated as being one for customs purposes with the goods in question.

12. Containers and packing materials for transport.

- The containers and packing materials exclusively used for the transport of a product shall not be taken into account for determining the origin of any good, in accordance with General 5 (b) of the Harmonized System.

13. Neutral elements or indirect materials.

- "Neutral elements" or "Indirect materials" means goods used in the production, testing or inspection of goods but not physically incorporated into the goods, or goods used in the maintenance of buildings or the operation of equipment associated with the production of goods, including:(a)energy and fuel;(b)plant and equipment;(c)tools, dies, machines and moulds;(d)parts and materials used in the maintenance of plant, equipment and buildings;(e)goods which do not

enter into the final composition of the product;(f)gloves, glasses, footwear, clothing, safety equipment, and supplies; and(g)equipment, devices, and supplies used for testing or inspecting the goods.(2)Each Party shall provide that an indirect material shall be considered to be an originating material without regard to where it is produced and its value shall be the cost registered in the accounting records of the producer of the export product.

14. Direct transport, Transit and Trans-shipment.

- In order for the originating goods or products to benefit from the preferential treatment provided for under the Agreement, they shall be transported directly between the Parties. The goods or products are transported directly provided:(a)they are transported through the territory of one or both Parties;(b)they are in transit through one or more territories of non-Parties, with or without trans-shipment or temporary warehousing in such territories, under the surveillance of the customs authorities therein, provided that:(i)the transit entry is justified for geographical reasons or by consideration related exclusively to transport requirements;(ii)they are not intended for trade, consumption, use or employment in the country of transit; or(iii)they do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition; and(c)the period of such transit shall not exceed six months and goods under such transit shall bear the proof of having been under customs surveillance through necessary endorsements in the relevant customs document(s).SECTION IIIProof Of Origin

15. [Certificate of Origin. [Substituted by Notification No. G.S.R. 479 (E), dated 16.5.2017 (w.e.f. 17.8.2007).]

(1)The certificate of origin is the document that certifies that goods fulfil the origin requirements as set out in these rules so that they can benefit from the preferential tariff treatment as foreseen in this Agreement and it is valid for only one importing operation concerning one or more goods.(2)For the purpose of claiming the preferential tariff treatment for an originating goods of the exporting Party, the certificate of origin shall be submitted in original to the customs authority of the importing Party.(3)The certificate of origin shall be submitted within its validity period.(4)The certificate of origin submitted to the customs authority of importing Party after the expiration of the validity of the certificate of origin shall be accepted for the purpose of claiming preferential tariff when the failure to observe the time limit results from force majeure or other valid reasons beyond the control of the exporter:Provided that, in all cases, the customs authority authority authority authority of importing Party shall accept such certificate of origin, if the products have been imported before the expiry of the validity period of the said certificate of origin.(5)The customs authority of importing Party may request an importer for information or documents relating to the origin of imported product in accordance with the law for the time being in force in the territory of the importing Party.(6)Notwithstanding the provisions of the sub-rule (5), if the importer does not possess the information or if the information provided is not sufficient to determine whether the goods are originating in the exporting Party, the customs authority of the importing Party shall request information from the issuing authority in accordance with section IV of these rules.(7)The issue of certificates of origin and its control, shall be under the responsibility of a Government office in each Party and the certificates of origin shall be directly issued by those

authorities or through delegation as referred to in sub-rule (8) and shall be in English.(8)The certificate of origin shall be signed and issued by Government offices to be indicated by the Parties who may delegate the signing and issuing of certificate of origin to other Government offices or representative corporate body.(9)Each Party shall inform the competent authorities of other Party of the names and addresses of the authorised officials of its respective issuing authority of certificate of origin and also provide sets of their specimen signatures and specimen of official seals.(10)Each Party shall intimate the name, designation and contact details (address, phone number, fax number, e-mail) of its competent authorities for the purposes of these rules-(i)to whom the specimen seals and signatures of the issuing authorities of the other Party should be communicated:-India:The Director (International Customs),Central Board of Excise and Customs,Department of Revenue,Ministry of Finance, Government of India,Room No. 49, North Block,New Delhi 110001, INDIA.Telephone: +91 11 2309 3380Fax +91 11 2309 3760e-mail: diricd-cbec@nic.inChile:Certification and Verification Department,General Directorate of International Economic Affairs,Ministry of Foreign Affairs,Teatinos 180SantiagoChile;Telephone: +562 28275100e-mail: certificacionorigen@direcon.gob.cl ;(ii)to whom the references of verification of Certificate of Origin issued by the Party, should be addressed:-India:The Director,RMTR Division,Department of Commerce,Ministry of Commerce & Industry,Government of India,Room No. 224C, Udyog Bhawan,New Delhi.Tel. No. 011-23092577Email: d1rmtr-doc@nic.in, d2rmtr-doc@nic.inChile:Certification and Verification Department,General Directorate of International Economic Affairs,Ministry of Foreign Affairs,Teatinos 180,Santiago.Telephone: +562 28275100e-mail: certificacionorigen@direcon.gob.cl ;(iii)from whom the specimen seals and signatures of the Issuing Authorities of the other Party would be received: -India:The Director,RMTR Division,Department of Commerce,Ministry of Commerce & Industry,Government of India,Room No. 224C, Udyog Bhawan,New Delhi.Tel. No. 011-23092577Email: d1rmtr-doc@nic.in, d2rmtr-doc@nic.inChile:Certification and Verification Department,General Directorate of International Economic Affairs,Ministry of Foreign Affairs,Teatinos 180, Santiago.Telephone: +562 28275100e-mail: certificacionorigen@direcon.gob.cl ;(iv)from whom references would emanate for verification of Certificate of Origin issued by the other Party:-India:The Director (International Customs),Central Board of Excise and Customs,Department of Revenue,Ministry of Finance, Government of India,Room No. 49, North Block,New Delhi 110001,INDIA.Telephone: +91 11 2309 3380Fax +91 11 2309 3760e-mail: diricd-cbec@nic.inChile:Head of Origin Sub-DepartmentCustoms Technique Sub-DirectorateNational Customs ServiceSotomayor 60, 1st Floor, Valparaiso,ChileTelephone: (56-32) 2134543 - (56-32) 2134528.(11)Any change in the competent authorities or the names, designations, addresses, specimen signatures or officials seals shall be promptly informed to the other Party.(12)The certificate of origin shall be issued in the format in Appendix to these rules and upon submission of a sworn declaration by the final producer of the goods, referred to in sub-rule (1) of rule 16, along with the respective commercial invoice.(13)In all cases, the number and date of the commercial invoice shall be indicated in the box reserved for this purpose in the certificate of origin.(14)When the goods to be traded is invoiced by a non-Party operator, the producer or exporter of the originating Party shall inform, in the field titled ?observations? of the respective certificate of origin, that the goods subject to declaration shall be invoiced from that non-Party operator, reproducing the following data from the commercial invoice issued by this operator, namely:-name, address, country, number and date:Provided that value addition, where applicable,

carried out only in the territory of the exporting Party shall be taken into account for calculation of local value addition.

16. Issue of Certificates of Origin.

(1) For the issue of a certificate of origin, the final producer or exporter of the goods shall present the corresponding commercial invoice and a request containing a sworn declaration by the final producer certifying that the goods fulfil the origin criteria of these rules, as well as the necessary documents supporting such a declaration and the said sworn declaration shall contain at least the following data, namely:-(a) individual's name or company name; (b) address; (c) description of the goods to be exported and its tariff classification; (d) FOB value of the goods to be exported; and (e) information relating to the goods to be exported, which must indicate: (i) materials, components and/or parts originating from the exporting Party and the Customs tariff heading, wherever possible, (ii) materials, components and/or parts originating from the other Party indicating:- origin, - tariff classification (at least 6 digit level), - CIF value, in United States of America dollars, and - percentage on the total value of the final product. (iii) non-originating materials, components and/or parts indicating:- exporting Country, - tariff classification (at least 6 digit level), - CIF value, in United States of America dollars, and - percentage on the total value of the final product; and (iv) description of the manufacturing process. (2) The description of the goods in the sworn declaration, which certifies the fulfilment of the origin requirements set out in these rules, shall correspond to the respective tariff classification, as well as with the description of the goods in the commercial invoice and in the certificate of origin. (3) If the goods are regularly exported and their manufacturing process, as well as their materials are not modified, the sworn declaration of the producer may be valid for a period of up to one year counted from the date of the issue of the certificate of origin. (4) The certificate of origin shall be issued not later than five working days after the presentation of request and it shall be valid for a period of one year from the date of its issue. (5) The certificates of origin shall not be issued before the date of the issue of the commercial invoice relating to the consignment, but may be issued on the same date or within the following sixty days. (6) In the event of theft, loss or destruction of a certificate of origin, the exporter may apply in writing to the issuing authority which issued it for a certified true copy of the original to be made on the basis of the export documents in their possession bearing the endorsement of the words "CERTIFIED TRUE COPY", (in lieu of the original certificate) in box 4 of the certificate of origin and this copy shall bear the date of the original certificate of origin. (7) Minor discrepancies between the certificate of origin and the documents submitted to the customs authority of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party of the importing Party for the purpose of carrying out the formalities for importing the products shall not ipso facto invalidate the certificate of origin if it corresponds to the products under importation. (8) The requesting Party and the certifying offices or authorised institutions shall keep the documents supporting the certificate of origin for a period no less than five years, from the date of its issue and the issuing authority shall enumerate the certificates issued by them in sequential order. (9) The issuing authority shall keep a permanent record of all issued certificate of origin, which shall contain at least the certificate number, the requesting entity's name and the date of its issue.]

15. Certification of Origin.- (1) The Certificate of Origin is the document that certifies that goods fulfil the origin requirements as set out in these Rules so that they can benefit from the preferential tariff treatment as foreseen in this Agreement. The said Certificate is valid for only one importing operation concerning one or more goods and its original or in exceptional cases a copy of the original of which has to be submitted within 30 days from the date of clearance of goods in the importing Party and shall be included in the documentation to be presented at the customs authorities of the importing Party.(2) The issue of Origin Certificates and its control, shall be under the responsibility of a Government office in each Party. The Certificates of Origin shall be directly issued by those authorities or through delegation as referred to in paragraph 3 and shall be in English.(3) The Certificate of Origin shall be signed and issued by Government offices to be indicated by the Parties who may delegate the signing and issuing of origin certificates to other Government offices or representative corporate body.(4) The Certificate mentioned in the preceding paragraph shall be issued in the form agreed upon by the Parties and upon a sworn declaration by the final producer of the goods and the respective commercial invoice.(5) In all cases, the number and date of the commercial invoice shall be indicated in the box reserved for this purpose in the Certificate of Origin.(6) When a good to be traded is invoiced by a non-Party operator, the producer or exporter of the originating Party shall inform, in the field titled "observations" of the respective Certificate of Origin, that the goods subject to declaration shall be invoiced from that non-Party operator, reproducing the following data from the commercial invoice issued by this operator: name, address, country, number and date. Value addition carried out only in the territory of a Party shall be taken into account for calculation of local value addition.

16. Issue of Certificates of Origin.- For the issue of an Origin Certificate, the final producer or exporter of the good shall present the corresponding commercial invoice and a request containing a sworn declaration by the final producer certifying that the goods fulfil the origin criteria of these Rules, as well as the necessary documents supporting such a declaration. The said sworn declaration shall contain at least the following data:(a) individual's name or company name;(b) address;(c) description of the good to be exported and its tariff classification;(d) FOB value of the goods to be exported; and(e) information relating to the good to be exported, which must indicate:(i) materials, components and/or parts originating from the exporting Party and the Customs tariff heading, wherever possible,(ii) materials, components and/or parts originating from the other Party indicating:- origin;- tariff classification (at least 6 level digit);- CIF value, in United States of America dollars;- percentage on the total value of the final product.(iii) non-originating materials, components and/or parts indicating:- exporting Country;- tariff classification (at least 6 level digit),- CIF value, in United States of America dollars, and- percentage on the total value of the final product; and(e) description of the manufacturing process.(2) The description of the good in the sworn origin declaration, which certifies the fulfilment of the origin requirements set out in these Rules, shall correspond to the respective tariff classification, as well as with the description of the good in the commercial invoice and in the Certificate of Origin.(3) If the goods are regularly exported and their manufacturing process, as well as their materials are not modified, the Sworn Declaration of the Producer may be valid for a period of up to one year counted from the date of the issue of the certificate.(4) The Origin Certificate shall be issued not later than five (5) working days after the request presentation and it shall be valid for a period of one year from the date of its issue.(5) The origin certificates shall not be issued before the date of the issue of the commercial invoice relating to the consignment, but in the same date or within the following sixty (60) days.(6)

The requesting party and the certifying offices or authorized institutions shall keep the documents supporting the origin certificates for a period no less than five (5) years, from the date of its issue. The certifying offices or the said institutions shall enumerate the certificates issued by them in sequential order.(7) The certifying offices or authorized institutions shall keep a permanent record of all issued origin certificates, which shall contain at least the certificate number, the requesting entity's name and the date of its issue.

SECTION IV Control And Verification Of Certificates Of Origin

17. [[Substituted by Notification No. G.S.R. 479 (E), dated 16.5.2017 (w.e.f. 17.8.2007).]

Regardless of the presentation of a certificate of origin in accordance with the these rules, the customs authorities of importing Party in the cases of reasonable doubt, as to the authenticity of a certificate of origin, as well as the veracity of the information contained therein, may initiate an verification in accordance with the procedures established in rule 18 and this shall not preclude the application of the respective national legislation including customs law.

2. The competent authorities of importing Party shall put forward the reasons for the doubts concerning the authenticity of the certificate of origin or the veracity of its data in a clear and concrete way to the issuing authority of the exporting Party.

18.

During the verification proceedings, the customs authority of the importing Party may request the issuing authority of the exporting Party, in writing, for a verification of origin in accordance with the following procedure, namely:-(a)the request for information, as well as any copy of the documentation in possession of the issuing authority which issued the certificate of origin under verification, which may be deemed necessary for verifying the authenticity of the said certificate of origin and the veracity of the information contained therein and in such a request, the number and the date of the issue of the certificate of origin under verification shall be indicated;(b)for the purposes of verification of the contents of the local or regional added value, the producer or exporter shall facilitate the access to any information or documentation necessary for establishing the CIF value of the non-originating goods used in the production of the goods under verification;(c)for the purposes of verification of the characteristics of certain production processes, the exporter or producer shall facilitate the access to any information and documentation that allow the confirmation of such processes;(d)the customs authority of the importing Party may send a questionnaire to the issuing authority of the exporting Party which shall be passed on to the exporter or producer, indicating the certificate of origin under verification;(e)when the customs authority of the importing Party is not satisfied with the results of the verification of origin pursuant to clauses (a) to (d), it shall deliver a written request to the issuing authority of the exporting Party to facilitate visits to the premises of the producer, with a view to examining the production processes, as well as the equipment and tools utilised in the manufacture of the product under

verification;(f)the issuing authority of the exporting Party will provide the requisitioned documents, statement and cost sheet of materials to the customs authority of the importing Party at least fifteen days before the date of visit;(g)the issuing authority of the exporting Party shall accompany the authorities of the importing Party in their above-mentioned visit, which may include the participation of specialists who shall act as observers:Provided that, each Party may designate specialists, who shall be neutral and have no interest whatsoever in the verification:Provided further that, each Party may deny the participation of such specialists whenever the latter represent the interests of the companies involved in the verification;(h)once the visit is concluded, the participants shall subscribe the minutes of it, in which it shall be indicated that it was carried out according to the conditions established in these rules and the said minutes shall contain, in addition, the following information, namely:-(i)date and place of the carrying out of the visit;(ii)identification of the certificates of origin which led to the verification;(iii)identification of the goods under verification;(iv)identification of the participants, including indications of the organs and institutions to which they belong; and(v)a visit report;(i)the exporting Party may request the postponement of a verification visit for a period not more than thirty days; and(j)the Parties may carry out other actions as mutually agreed upon between them, relating to the case under verification.

19.

The issuing authorities of the exporting Party shall provide the information and documentation requested according to rule 18, within,-(i)thirty days of the date of receipt of the request, if the request pertains to the authenticity of seal and signatures of the issuing authority of the beneficiary country;(ii)thirty days of the date of receipt of the request, if the request is to seek a copy of the application made by the exporter or producer;(iii)sixty days from the date of receipt of such request, if the request is on the grounds of suspicion of the accuracy of the information regarding the origin of the product and such period can be extended through mutual consultation for a period no more than thirty days upon request of the exporting

20.

(1)The customs authorities of the importing Party shall not suspend the importation operations of the goods or of identical goods from the same exporter or producer.(2)The customs authorities of the importing Party may deny preferential tariff treatment and request a guarantee in any of its modalities or may take any action necessary in order to preserve fiscal interests, as a pre-condition for the completion of the importation operations subject to and in accordance with the laws and procedures of the importing Party:Provided that, when a guarantee is required, its amount shall not be higher than the value of the applicable custom duties concerning the importation of the product from third countries, according to the legislation of the importing country.

21.

The information obtained under the conditions of these rules shall be confidential in character, in accordance with its law, and each Party shall protect such information from disclosure that could

prejudice the competitive position of the persons providing the information and it shall be utilised with a view to clarifying the matter under verification by the competent authorities of the importing Party as well as during the verification and legal proceedings.

22.

The customs authorities of the importing Party shall immediately notify the importer and the competent authorities of the exporting Party upon initiation of the verification envisaged under rule 17, in accordance with the procedures established in rule 18.

23.

The competent authorities of the importing Party shall engage to conclude the verification in a period preferably within sixty days but not more than ninety days, from the date of the receipt of all the information requested in accordance with rule 18: Provided that where new investigative actions or the presentation of more information are necessary, the competent authorities of the importing Party shall communicate the fact to the competent authorities of the exporting Party and the term for the execution of such new actions or for the presentation of additional information shall be not more than sixty days, from the date of the receipt of all the additional information, according to rule 18.

24.

Except as otherwise provided in these rules, the competent authorities of the importing Party may consider that the goods under verification do not fulfil the origin requirements and may deny preferential tariff treatment to the goods mentioned in the certificate of origin under verification according to rule 17, when, - (a) the goods do not meet the requirements of these rules; (b) the exporter, producer or importer of the goods fail to demonstrate compliance with the requirements which are applicable under these rules; (c) the exporter or producer of the goods deny access to the relevant records or documentation; (d) the competent authorities of the exporting Party fail to provide the information in pursuance to a written request for verification within stipulated time; (e) the consent to a request for verification visit is not received from the competent authorities of the exporting Party or the exporter or producer; or (f) the information provided by the issuing authorities of the exporting Party or exporter or producer is not sufficient to prove that the goods qualifies as an originating goods of the exporting Party.

25.

(1) In cases where the certificate of origin is rejected by the competent authorities of the importing Party, the original certificate of origin shall be returned to the competent authorities of the exporting Party within a reasonable period but not exceeding two months from the date of such rejection and the competent authorities of the importing Party shall communicate the grounds for denial of preferential tariff treatment to the importer and the competent authorities of the exporting

Party.(2)The customs authority of the importing Party shall grant the competent authority of the exporting Party, access to the verification files, in accordance with its domestic legislation.

26.

During the investigation process, occasional modifications in the manufacturing conditions made by the companies under verification shall be taken into account for future shipments.

27.

Once the verification for the qualification of the origin concludes with a determination in favour of the importer, the importer shall be released from the guarantees requested in rule 20, within not more than thirty days and shall be promptly refunded the duties paid in excess in accordance with the domestic legislation of the Parties.

28.

(1)Once the verification establishes the non-qualification of the origin criterion of the goods contained in the certificate of origin, the duties shall be levied in accordance with the domestic legislation in force in the importing Party.(2)In such a case, the competent authorities of the importing Party may deny preferential tariff treatment to new imports relating to identical goods from the same producer, until it is clearly demonstrated that the manufacturing conditions were modified so as to fulfil the origin requirements of the rules of origin of these rules.(3)Once the competent authorities of the exporting Party has sent the information demonstrating that the manufacturing conditions were modified and goods fulfil the origin criterion, the competent authorities of the importing Party shall have forty-five day time, from the date of the receipt of the said information, to communicate its decision there upon, or to request for a verification visit to the producer's premises, according to clause (e) of rule 18, if deemed necessary.(4)If the competent authorities of the importing and the exporting Parties fail to agree on the demonstration of the modification of the manufacturing conditions, they may make use of the Dispute Settlement Procedure established as per Article XVIII of this Agreement.

29.

(1)A Party may request to the other Party to investigate the origin of a goods imported by the latter from other Party, whenever there are well-founded reasons for suspecting that its products undergo competition from imported products with preferential tariff treatment which do not fulfil the requirements of these rules.(2)For such purposes, the competent authorities of the Party requesting the verification shall bring to the notice of the authorities of the importing Party the relevant information within sixty days, from the date of the request and once this information is received, the importing Party may initiate the proceedings established in these rules, giving notice of this to the Party that requested the initiation of the verification.

30.

The proceedings of verification and control of origin as foreseen in these rules may also apply to the goods already cleared for home consumption.

31.

Within sixty days, from the receipt of the communication as provided in rule 25 or in the sub-rule (3) of rule 28, in case the measure is inconsistent, the exporting Party may request for consultation to the Joint Administration Committee referred to in Article XVII of this Agreement, stating the technical and legal reasons that would indicate that the measure adopted by the competent authorities of the importing Party are not consistent with these rules; and/or request a technical advice with the aim of establishing whether the goods under verification fulfil the requirements of these rules.

32.

The time periods set in these rules shall be calculated on a consecutive day basis as from the day following the fact or event which they refer to.

33.

Each Party shall adopt or maintain measures that provide for the imposition of civil, administrative, and, where appropriate, criminal sanctions for violations of its customs laws and regulations, including those governing tariff classification, customs valuation, rules of origin, and the entitlement to preferential tariff treatment under this Agreement.]

17.(1) Regardless of the presentation of an origin certificate in accordance with the Rules of Origin under these Rules, the customs authorities of the importing Party may, in the cases of reasonable doubt, request the relevant government authorities of the exporting Party any additional information necessary for the verification of the authenticity of a certificate, as well as the veracity of the information contained therein. This shall not preclude the application of the respective national legislation relating to breach of customs law.(2) Compliance with the request for additional information according to this Article shall only be made with reference to the registers and documents available in Government offices or institutions authorized to issue origin certificates. Copies of the documentation necessary for the issuing of origin certificates can be made available.(3) This Article, however, does not restrain the conclusion of Customs Cooperation Agreements between the Parties.(4) The reasons for the doubts concerning the authenticity of the certificate or the veracity of its data shall be put forward in a clear and concrete way. For this purpose, the consultations thereon shall be carried out by a specific office of the customs authorities designated by each Party.(5) The customs authorities of the importing Party shall not suspend the importation operations of the goods. However, they may deny preferential tariff treatment, request a guarantee in any of its modalities or may take any action necessary in order to preserve fiscal

interests, as a pre-condition for the completion of the importation operations.(6) If a guarantee is required, its amount shall not be higher than the value of the applicable custom duties concerning the importation of the product from third countries, according to the legislation of the importing country.18.The competent authorities from the exporting Party shall provide the requested information according to Article 17 within thirty (30) days, from the date of the receipt of the request. Such period can be extended through mutual consultation for a period no more than thirty (30) days in justified cases. If this information is satisfactory, the said authorities shall release the importer from the guarantee referred to in Article 17 within thirty (30) days or shall promptly refund the duty paid in excess, in accordance with domestic laws of the Parties.19.The information obtained under the conditions of the present Chapter shall be confidential in character, in accordance with its law, and shall protect such information from disclosure that could prejudice the competitive position of the persons providing the information. It shall be utilized with a view to clarifying the matter under investigation by the competent authorities of the importing Party as well as during the investigation and legal proceedings.20.In the cases in which the information requested under Article 17 is not provided within the deadline established in Article 18 or is insufficient to clarify any doubt concerning the origin of the good, the competent authorities of the importing Contracting Party may initiate an investigation on the matter within sixty (60) days, from the date of the request for the information.21.(1) During the period of investigation, the customs authorities of the importing Party shall not suspend new importing operations relating to identical goods from the same exporter or producer. However, they may deny preferential tariff treatment, request a guarantee in any of its modalities or may take any action necessary in order to preserve fiscal interests, as a pre-condition for the completion of new importation operations.(2) The guarantee amount, whenever it is requested, shall be established according to Article 17(6).22.The customs authorities of the importing Party shall immediately notify the importer and the competent authorities of the exporting Party of the initiation of the origin investigation, in accordance with the procedures established in Article 23.23.(1) During the investigation proceedings, the competent authorities of the importing Party may:(a) request, through the competent authorities of the exporting Party, new information, as well as any copy of the documentation in possession of the certifying offices or authorized institutions which issued the origin certificate under investigation, according to Article 17, which may be deemed necessary for verifying the authenticity of the said certificates and the veracity of the information contained therein. In such a request, the number and the date of the issue of the origin certificate under investigation shall be indicated;(b) for the purposes of verification of the contents of the local or regional added value, the producer or exporter shall facilitate the access to any information or documentation necessary for establishing the CIF value of the non-originating goods used in the production of the goods under investigation;(c) for the purposes of verification of the characteristics of certain production processes, the exporter or producer shall facilitate the access to any information and documentation that allow the confirmation of such processes;(d) send to the competent authorities of the exporting Party a written questionnaire to be passed on to the exporter or producer, indicating the origin certificate under investigation;(e) request to the competent authorities of the exporting Parties to facilitate visits to the premises of the producer, with a view to examining the production processes, as well as the equipment and tools utilized in the manufacture of the product under investigation;(f) the competent authorities of the Contracting Party shall accompany the authorities of the importing Contracting Party in their above-mentioned visit, which may include

the participation of specialists who shall act as observers. Each Party could designate specialists, who shall be neutral and have no interest whatsoever in the investigation. Each Party may deny the participation of such specialists whenever the latter represent the interests of the companies or institutions involved in the investigation;(g) once the visit is concluded, the participants shall subscribe the minutes of it, in which it shall be indicated that it was carried out according to the conditions established in these Rules. The said minutes shall contain, in addition, the following information: date and place of the carrying out of the visit; identification of the origin certificates which led to the investigation; identification of the goods under investigation; identification of the participants, including indications of the organs and institutions to which they belong; a visit report;(h) the exporting Party may request the postponement of a verification visit for a period not more than thirty (30) days; and(i) carry out other actions as agreed upon between the Parties involved in the case under investigation.24.The competent authorities of the exporting Party shall provide the information and documentation requested according to Article 23(a) and d), within thirty (30) days from the date of the receipt of the request.25.Regarding the proceedings as foreseen in Article 23, the competent authorities of the importing Party may request the competent authority of the exporting Party the participation or advice of specialists concerning the matter under investigation.26.In the cases in which the information or documentation requested to the competent authorities of the exporting Party is not produced within the stipulated deadline, or if the answer does not contain enough information or documentation for determining origin, the authenticity or veracity of the origin certificate under investigation, or still, if the producers do not agree to the visit, the competent authorities of the importing Party may consider that the products under investigation do not fulfil the origin requirements, and may, as a result deny preferential tariff treatment to the products mentioned in the origin certificate under investigation according to Article 20, and thus conclude such investigation.27.(1) The competent authorities of the importing Party shall engage to conclude the investigation in a period not more than ninety (90) days, from the date of the receipt of all the information requested in accordance with Article 23.(2) If it is considered that new investigative actions or the presentation of more information are necessary, the competent authorities of the importing Party shall communicate the fact to the competent authorities of the exporting Party. The term for the execution of such new actions or for the presentation of additional information shall be not more than ninety (90) days, from the date of the receipt of all the additional information, according to Article 23.(3) If the investigation is not concluded within ninety (90) days after all the information has been provided, the importer shall be released from the payment of the guarantee, regardless of the continuation of the investigation. Duties paid in excess shall be promptly refunded in accordance with the domestic legislation of the Parties.28.(1) The customs authorities of the importing Party shall inform the importers and the competent authorities of the exporting Party of the conclusion of the investigation process, as well as the reasons that led to its decision.(2) The customs authority of the importing Party shall grant the competent authority of the exporting Party, access to the investigation files, in accordance with its legislation.29.During the investigation process, occasional modifications in the manufacturing conditions made by the companies under investigation shall be taken into account for future shipments.30.Once the investigation for the qualification of the origin concludes with a determination in favour of the importer, the importer shall be released from the guarantees requested in Articles 17 and 21, within no more than thirty (30) days or shall be promptly refunded the duties paid in excess in accordance with the domestic legislation of the Parties.31.(1) Once the

investigation establishes the non-qualification of the origin criterion of the goods contained in the origin certificate, the duties shall be levied as if the goods were imported from third countries and the sanctions foreseen in this Agreement and/or the ones foreseen in the legislation in force in each Party shall be applied.(2) In such a case, the competent authorities of the importing Party may deny preferential tariff treatment to new imports relating to identical good from the same producer, until it is clearly demonstrated that the manufacturing conditions were modified so as to fulfil the origin requirements of the Rules of Origin of .(3) Once the competent authorities of the exporting Party has sent the information demonstrating that the manufacturing conditions were modified and goods fulfil the origin criterion, the competent authorities of the importing Party shall have forty five (45) days, from the date of the receipt of the said information, to communicate its decision there upon, or a maximum of ninety (90) days if a new verification visit to the producer's premises, according to Article 23 (e), is deemed necessary.(4) If the competent authorities of the importing and the exporting Parties fail to agree on the demonstration of the modification of the manufacturing conditions, they may make use of the Dispute Settlement Procedure established as per Article XVIII of the Preferential Trade Agreement between the Republic of India and the Republic of Chile.32.(1) A Party may request another Party to investigate the origin of a good imported by the latter from other Party, whenever there are well-founded reasons for suspecting that its products undergo competition from imported products with preferential tariff treatment which do not fulfil the Origin Rules of this Agreement.(2) For such purposes, the competent authorities of the Party requesting the investigation shall bring to the notice of the authorities of the importing Party the relevant information within forty five (45) days, from the date of the request. Once this information is received, the importing Contracting Party may initiate the proceedings established in this Rules, giving notice of this to the Party that requested the initiation of the investigation.33.The proceedings of verification and control of origin as foreseen in these Rules may also apply to the goods already cleared for home consumption.34.Within sixty (60) days, from the receipt of the communication as provided in Article 28 or in the third paragraph of Article 31, in case the measure is inconsistent, the exporting Party may request for consultation to the Committee, stating the technical and legal reasons that would indicate that the measure adopted by the competent authorities of the importing Party are not consistent with these Rules; and/or request a technical advice with the aim of establishing whether the goods under investigation fulfil the origin rules of this Agreement.35.The time periods set in these Rules shall be calculated on a consecutive day basis as from the day following the fact or event which they refer to.36. Penalties.- Each Party shall adopt or maintain measures that provide for the imposition of civil, administrative, and, where appropriate, criminal sanctions for violations of its customs laws and regulations, including those governing tariff classification, customs valuation, rules of origin, and the entitlement to preferential tariff treatment under this Agreement.

[Annex [Inserted by Notification No. G.S.R. 479 (E), dated 16.5.2017 (w.e.f. 17.8.2007).][see sub-rule (6) of rule 6]Product Specific Rules

Part 1 – General Notes

For the purposes of the product specific rules set out in this Annex, -(a)the product specific rule, or specific set of rules, that applies to a particular chapter, heading or sub-heading is set out immediately adjacent to the chapter, heading or sub-heading;(b)where the specific set of rules

provides for more than one rule to be selectively applied, the order of the description of the rules does not indicate priority of application;(c)the following definitions apply:(i)the term "chapter" means a chapter of the Harmonized System;(ii)the term "heading" means the first four digits in the tariff classification number under the Harmonized System; and(iii)the term "subheading" means the first six digits in the tariff classification number under the Harmonized System; and(d)this Annex is based on the Harmonized System as amended on January 1, 2017.

Part 2 – Product Specific Rules

No.	HS Code	Product Specific Rule
1	Chapter 1	A change to Chapter 1 from any other chapter
2	Chapter 2	A change to Chapter 2 from any other chapter
3	Chapter 3	A change to Chapter 3 from any other chapter
4	Chapter 4	A change to Chapter 4 from any other chapter
5	Chapter 5	A change to Chapter 5 from any other chapter
6	Chapter 6	A change to Chapter 6 from any other chapter
7	Chapter 7	A change to Chapter 7 from any other chapter
8	Chapter 8	A change to Chapter 8 from any other chapter
9	Chapter 9	A change to Chapter 9 from any other chapter
10	Chapter 10	A change to Chapter 10 from any other chapter
11	Chapter 11	A change to Chapter 11 from any other chapter
12	Chapter 12	A change to Chapter 12 from any other chapterfor ?Oil seeds and oleaginous fruits; miscellaneous grains, seedsand fruit; industrial or medicinal plants; straw and fodderexcept for Ginseng roots and other seeds chilled and frozen‘
13	Chapter 13	A change to Chapter 13 from any other chapter
14	Chapter 14	A change to Chapter 14 from any other chapter
15	Chapter 15	A change to Chapter 15 from any other chapter
16	Chapter 16	A change to Chapter 16 from any other chapter
17	1806.31 - 1806.32	A change to sub-headings 1806.31 through 1806.32from any other heading
18	1806.90	A change to sub-heading 1806.90 from any otherheading
19	1901.10	A change to sub-heading 1901.10 from any otherheading
20	1901.90	A change to sub-heading 1901.90 from any otherheading
21	1902.19	A change to sub-heading 1902.19 from any otherheading
22	1904.10	A change to sub-heading 1904.10 from any otherheading
23	1904.90	A change to sub-heading 1904.90 from any otherheading
24	1905.31 - 1905.32	A change to sub-heading 1905.31 through 1905.32from any other heading
25	1905.90	A change to sub-heading 1905.90 from any otherheading

26	2001.10	A change to sub-heading 2001.10 from any other heading
27	2001.90	A change to sub-heading 2001.90 from any other heading
28	2002.90	A change to sub-heading 2002.90 from any other heading
29	2003.10	A change to sub-heading 2003.10 from any other heading
30	2004.10	A change to sub-heading 2004.10 from any other heading
31	2005.70	A change to sub-heading 2005.70 from any other heading
32	2005.99	A change to sub-heading 2005.99 from any other heading
33	2007.99	A change to sub-heading 2007.99 from any other heading
34	2009.61	A change to sub-heading 2009.61 from any other heading
35	2009.69	A change to sub-heading 2009.69 from any other heading
36	2009.79	A change to sub-heading 2009.79 from any other heading
37	2009.80	A change to sub-heading 2009.80 from any other heading
38	2102.10	A change to sub-heading 2102.10 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
39	2105.00	A change to sub-heading 2105.00 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
40	2202.10	A change to sub-heading 2202.10 from any other chapter
41	2202.90	A change to sub-heading 2202.90 from any other chapter
42	2203.00	A change to sub-heading 2203.00 from any other chapter
43	2204.10	A change to sub-heading 2204.10 from any other chapter
44	2204.21	A change to sub-heading 2204.21 from any other chapter
45	2204.29	A change to sub-heading 2204.29 from any other chapter
46	2204.30	A change to sub-heading 2204.30 from any other chapter
47	2208.20	A change to sub-heading 2208.20 from any other chapter
48	2208.70	A change to sub-heading 2208.70 from any other chapter
49	2710.11	A change to sub-heading 2710.11 from any other heading
50	2710.19	A change to sub-heading 2710.19 from any other heading
51	2715.00	A change to sub-heading 2715.00 from any other heading
52	2836.91	A change to sub-heading 2836.91 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
53	3004.31 - 3004.32	A change to sub-heading 3004.31 through 3004.32 from any other heading
54	3004.39 - 3004.90	A change to sub-heading 3004.39 through 3004.90 from any other heading
55	3005.90	A change to sub-heading 3005.90 from any other heading

- 56 3006.10 A change to sub-heading 3006.10 from any otherheading
- 57 3006.40 A change to sub-heading 3006.40 from any otherheading
- 58 3006.60 A change to sub-heading 3006.60 from any otherheading
- 59 3401.11 A change to sub-heading 3401.11 from any otherheading
- 60 3402.11 -
3402.13 A change to sub-heading 3402.11 through 3402.13from any other heading
- 61 3402.19 -
3402.20 A change to sub-heading 3402.19 through 3402.20from any other heading
- 62 3402.90 A change to sub-heading 3402.90 from any otherheading
- 63 3403.19 A change to sub-heading 3403.19 from any otherheading
- 64 3404.90 A change to sub-heading 3404.90 from any otherheading
- 65 3406.00 A change to sub-heading 3406.00 from any otherheading
- 66 3407.00 A change to sub-heading 3407.00 from any otherheading
- 67 4703.11 A change to sub-heading 4703.11 from any otherheading
- 68 4703.19 A change to sub-heading 4703.19 from any otherheading
- 69 4703.21 A change to sub-heading 4703.21 from any otherheading
- 70 4703.29 A change to sub-heading 4703.29 from any otherheading
- 71 4707.90 A change to sub-heading 4707.90 from any otherheading
- 72 4809.90 A change to sub-heading 4809.90 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 73 4810.13 A change to sub-heading 4810.13 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 74 4810.19 A change to sub-heading 4810.19 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 75 4810.22 A change to sub-heading 4810.22 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 76 4810.32 A change to sub-heading 4810.32 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 77 4810.92 A change to sub-heading 4810.92 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 78 4810.99 A change to sub-heading 4810.99 from any otherheading or the total value of all non-originating materials or ofundetermined origin used does not exceed 60% of the FOB value ofthe product.
- 79 4811.41

- A change to sub-heading 4811.41 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 80 4811.59 A change to sub-heading 4811.59 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 81 4811.90 A change to sub-heading 4811.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 82 4814.20 A change to sub-heading 4814.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 83 4816.20 A change to sub-heading 4816.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 84 7607.11 A change to sub-heading 7607.11 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 85 7607.19 - 7607.20 A change to sub-heading 7607.19 through 7607.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 86 8413.11 - 8413.81 A change to sub-heading 8413.11 through 8413.81 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 87 8413.91 - 8413.92 A change to sub-heading 8413.91 through 8413.92 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 88 8414.10 - 8414.20 A change to sub-heading 8414.10 through 8414.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 89 8414.40 A change to sub-heading 8414.40 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 90 8414.59 A change to sub-heading 8414.59 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 91 8414.80 - 8414.90 A change to sub-heading 8414.80 through 8414.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 92 8414.10 A change to sub-heading 8414.10 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.

- 93 8418.21 A change to sub-heading 8418.21 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 94 8418.50 A change to sub-heading 8418.50 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 95 8418.69 A change to sub-heading 8418.69 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 96 8418.99 A change to sub-heading 8418.99 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 97 8419.11 A change to sub-heading 8419.11 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 98 8419.32 - 8419.50 A change to sub-heading 8419.32 through 8419.50 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 99 8419.89 - 8419.90 A change to sub-heading 8419.89 through 8419.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 100 8421.12 - 8421.21 A change to sub-heading 8421.12 through 8421.21 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 101 8421.23 - 8421.99 A change to sub-heading 8421.23 through 8421.99 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 102 8431.20 A change to sub-heading 8431.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 103 8431.39 - 8431.41 A change to sub-heading 8431.39 through 8431.41 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 104 8431.43 - 8431.49 A change to sub-heading 8431.43 through 8431.49 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 105 8450.11 A change to sub-heading 8450.11 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 106 8450.90 A change to sub-heading 8450.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.

- 107 8474.10 - A change to sub-heading 8474.10 through 8474.20 from any other heading or the
8474.20 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 108 8474.80 - A change to sub-heading 8474.80 through 8474.90 from any other heading or the
8474.90 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 109 8481.10 - A change to sub-heading 8481.10 through 8481.90 from any other heading or the
8481.90 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 110 8504.10 - A change to sub-heading 8504.10 through 8504.21 from any other heading or the
8504.21 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 111 8504.23 - A change to sub-heading 8504.23 through 8504.90 from any other heading or the
8504.90 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 112 8509.80 A change to sub-heading 8509.80 from any other heading or the total value of all
non-originating materials or of undetermined origin used does not exceed 60% of
the FOB value of the product.
- 113 8523.29 A change to sub-heading 8523.29 from any other heading or the total value of all
non-originating materials or of undetermined origin used does not exceed 60% of
the FOB value of the product.
- 114 8523.40 A change to sub-heading 8523.41 from any other heading or the total value of all
non-originating materials or of undetermined origin used does not exceed 60% of
the FOB value of the product.
- 115 8523.51 - A change to sub-heading 8523.51 through 8523.80 from any other heading or the
8523.80 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 116 8525.80 A change to sub-heading 8525.80 from any other heading or the total value of all
non-originating materials or of undetermined origin used does not exceed 60% of
the FOB value of the product.
- 117 8535.10 - A change to sub-heading 8535.10 through 8535.21 from any other heading or the
8535.21 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 118 8535.30 - A change to sub-heading 8535.30 through 8535.90 from any other heading or the
8535.90 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 119 8536.10 - A change to sub-heading 8535.10 through 8536.20 from any other heading or the
8536.20 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.
- 120 8536.41 - A change to sub-heading 8536.41 through 8536.50 from any other heading or the
8536.50 total value of all non-originating materials or of undetermined origin used does not
exceed 60% of the FOB value of the product.

- 121 8536.69 A change to sub-heading 8536.69 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 122 8536.90 A change to sub-heading 8536.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 123 8537.10 - 8537.20 A change to sub-heading 8537.10 through 8537.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 124 8544.11 - 8544.70 A change to sub-heading 8544.11 through 8544.70 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 125 9018.11 - 9018.12 A change to sub-heading 9018.11 through 9018.12 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 126 9018.19 A change to sub-heading 9018.19 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 127 9018.32 - 9018.39 A change to sub-heading 9018.32 through 9018.39 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 128 9018.49 - 9018.90 A change to sub-heading 9018.49 through 9018.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 129 9026.10 - 9026.90 A change to sub-heading 9026.10 through 9026.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 130 9401.61 - 9401.90 A change to sub-heading 9401.61 through 9401.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 131 9403.20 A change to sub-heading 9403.20 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 132 9403.50 - 9403.60 A change to sub-heading 9403.50 through 9403.60 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 133 9403.89 A change to sub-heading 9403.89 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 134 9403.90 A change to sub-heading 9403.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.

- 135 9404.29 A change to sub-heading 9404.29 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 136 9404.90 A change to sub-heading 9404.90 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 137 9405.10 - 9405.50 A change to sub-heading 9405.10 through 9405.50 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 138 9405.91 - 9405.99 A change to sub-heading 9405.91 through 9405.99 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 139 9406.00 A change to sub-heading 9406.00 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 140 9503.00 A change to sub-heading 9503.00 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 141 9505.10 A change to sub-heading 9505.10 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 142 9506.62 - 9506.69 A change to sub-heading 9506.62 through 9506.69 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 143 9506.91 A change to sub-heading 9506.91 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 144 9506.99 A change to sub-heading 9506.99 from any other heading or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product.
- 145 9620.00 A change to sub-heading 9620.00 from any other heading excepting 8431 or the total value of all non-originating materials or of undetermined origin used does not exceed 60% of the FOB value of the product for 'Parts of machinery of heading 8428 except of lifts, skip hoists or escalators, which are Monopods, bipods, tripods and similar articles']

Appendix CERTIFICATE OF ORIGIN Printing instructions

1. Each form shall measure 210 x 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m².

2. The competent governmental authorities of Chile and India may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Procedure For CompletionThe exporter shall fill out both the certificate of origin and the sworn declaration. These forms shall be completed in English in which this Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting country. If they are hand-written, they shall be completed in ink in printed characters.NOTES

1. The certificate must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialed by the person who completed the certificate and endorsed by the competent governmental authority of the issuing country.

2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.

3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

Certificate Of Origin

Serial Number:

1.Exporter (name, full address, Country) ID No.	2. Producer(name, full address, Country) ID No			
3.Importer(name, full address, country)	4.Observations			
5. Port of Shipment	6.Country of origin			
7.Description of Goods (1); Marks and numbers; Number and kind	8. HS Number(Six Digit Code)	9.Gross mass (kg) or other measure	10.Origin Criterion (3)	11. Invoices(No. and date and Value)

of packages (2).

(liters, m³,
etc.)

12. Competent
governmental
authority
endorsement

The information on this document is true and accurate and I assume the responsibility for providing such representations. I understand that I am liable for any false statements or material omission made on or in connection with this document

Issuing country:

The goods originated in the territory of the Parties, and comply with the origin requirements specified for those goods in Chile-India PREFERENTIAL TRADE AGREEMENT, and there has been no further production or any other operation outside the territories of the Parties in accordance with Section II 3 No. 1 of the Agreement.

Competent
governmental
office:

I agree to maintain and present upon request, documentation necessary to support this certificate, and to inform, in writing, all persons to whom the certificate was given of any changes that could affect the accuracy or validity of this certificate.

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1. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

2. If goods are not packed, indicate number of articles or state "in bulk" as appropriate.

3. Origin Criteria (Section II 3 N° 1) for preference.

The following goods shall be considered as originating from a Contracting Party: (a) The goods wholly produced or obtained in the territory of the Contracting party as defined in 5 of these Rules; (b) The goods not wholly produced in the territory of the Contracting Party, provided that the said products are eligible under 6 read with 7 of these Rules. SWORN DECLARATION

1.Producer Individual's name or company name
(name, full address, country) ID No.

2. Observations

3.Country
of Origin

6. Gross

4.Description of Goods, Marks and numbers;
Number and kind of packages. ref (1)and(2) of notes
below

5. HS
Number
(Six Digit
Code)

mass (kg)
or other
measure
(liters, m³,
etc.)

7.Preference
Criterion
(s.no.3 of
notes below)

8.Invoice
(No. and
Date) (if
known)

DECLARATION BY THE PRODUCER, the undersigned, producer of the goods described overleaf, DECLARE that the above goods are originating and meet the origin requirements established in this Agreement. UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing a certificate of origin, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities; REQUEST the issue of a certificate of origin for these goods.

|||

(1)The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through Information relating to the good to be exported, which must indicate:(i)materials, components and/or parts originating from the exporting Contracting Party;(ii)materials, components and/or parts originating from the other Party indicating:- origin;- tariff classification (at least 6 level digit);- CIF value, in United States of America dollars;- Percentage on the total value of the final product.(iii)non-originating materials, components and/or parts indicating:- Exporting Country;- tariff classification (at least 6 level digit);- CIF value, in United States of America dollars;- Percentage on the total value of the final product.(iv)description of the manufacturing process(2)If goods are not packed, indicate number of articles or state "In bulk" as appropriate.(3)Preference Criteria (Section II 3 No. 1)The following goods shall be considered as originating from a Contracting Party:(a)The goods wholly produced or obtained in the territory of the Contracting party as defined in Article 5 of these Rules;(b)The goods not wholly produced in the territory of the Contracting Party, provided that the said products are eligible under 6 read with 7 these Rules.