



Gobierno de Chile

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Servicio Nacional de Aduanas
Dirección Nacional
Subdirección Técnica
Subdepartamento de Origen

OFICIO CIRCULAR N° 00000012

MAT.: Tratado de Libre Comercio entre la República de Chile y la República de Malasia. Formato Certificado de Origen.

REF.: Oficio Circular N° 234, de 17.08.2012, emitido por la Subdirección Técnica.

ADJ.: Formato certificado de origen en inglés.

Valparaíso, - 8 ENE 2013

De: Subdirectora Técnica.

A : Señores

Subdirector de Fiscalización; Directores(as) Regionales y Administradores(as) de Aduanas.

En relación al Tratado de Libre Comercio entre la República de Chile y la República de Malasia, se ha detectado un error de traducción de la versión en español del certificado de origen, el cual instruye en su campo 3 que, entre otros, deberá indicarse el “puerto de salida”, en circunstancias que la versión negociada en inglés indica para dicho campo el “puerto de descarga” - *port of discharge*. La referida inconsistencia, ha sido puesta en conocimiento de la Dirección General de Relaciones Económicas Internacionales del Ministerio de Relaciones Exteriores –DIRECON, a objeto que se disponga su corrección.

Por lo anterior se deberá estar, en cuanto al formato del certificado de origen a su versión en inglés, por ser ésta la que prevalece, en caso de discrepancias con la traducción al español. Asimismo, se recuerda la instrucción señalada al reverso del certificado por la cual, dicho documento debe ser completado en idioma inglés.

En este sentido, y por último, se reitera que de acuerdo a lo instruido mediante Oficio Circular N° 234, de 17.08.2012, emitido por esta Subdirección, a contar del 01 de enero del 2013, no serán válidos para solicitar las preferencias arancelarias negociadas bajo este Acuerdo, aquellos certificados que adolezcan de errores en su numeración a saber, repitiendo el número 6 y el número 12.

Saluda atentamente a usted,

Alejandra Arriaza Loeb
Subdirectora Técnica

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SSD:

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ANNEX 4-C

FORM OF CERTIFICATE OF ORIGIN

1. Exporter's business name, address, country 		4. Reference No. : _____ Page : ____/____ <p align="center">CHILE-MALAYSIA Free Trade Agreement Certificate of Origin (CMFTA FORM)</p> <p>Issued in _____ (Country)</p> <p align="center">(See Overleaf Notes)</p> For Official Use <input type="checkbox"/> Preferential Treatment Given under CMFTA <input type="checkbox"/> Preferential Treatment Not Given under CMFTA (please state reason(s)) Signature of Authorised Signatory of the Importing Country				
2. Consignee's name, address, country 		3. Means of transport and route (as far as known) Departure date Vessel's name/Aircraft etc. Port of Discharge				
3. Means of transport and route (as far as known) Departure date Vessel's name/Aircraft etc. Port of Discharge		5. <input type="checkbox"/> Issued Retroactively <input type="checkbox"/> Non-Party Invoicing <input type="checkbox"/> Duplicate <input type="checkbox"/> Exhibition _____ .Name of the Place of Exhibition () Insert (✓) in the appropriate box.				
6. Item number	7. Marks and numbers of packages	8. Number and type of packages, description of goods (including HS code)	9. Origin criterion	10. Gross weight or quantity	11. Number and date of invoices	

<p>12. Declaration by the exporter: I, the undersigned, declare that the above details and statements are true and accurate, and the good(s) described above meet the condition(s) required for the issuance of this certificate.</p> <p>Place and Date _____</p> <p>Signature: _____</p>	<p>13. Certification It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.</p> <p>_____</p> <p style="text-align: center;">Place and date, signature and stamp of Competent Authority</p>
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OVERLEAF NOTES

For the purpose of claiming preferential tariff treatment, this form should be completed legibly and filled by the exporter. All items of the form should be completed in the English language.

If the space of this form is insufficient to specify the necessary particulars for identifying the goods and other related information, the exporter may provide the information using an additional Certificate of Origin.

Box 1: State the full name, address and country of the exporter.

Box 2: State the full name, address and country of the consignee.

Box 3: Provide the departure date, the name of vessel/aircraft and the name of the port of discharge, as far as known.

Box 4: State the country where the Certificate of Origin is issued.

Box 5:

- If the Certificate of Origin is issued Retroactively, the "Issued Retroactively" box should be ticked (✓)
- In case where invoices are issued by a non-Party, the "Non-Party invoicing" box should be ticked (✓)
- In case the Certificate of Origin is a duplicate of the original, in accordance with Rule 8, the "Duplicate" box should be ticked (✓).
- In cases where goods are sent from the exporting Party for exhibition in a third country, in accordance with Rule 15, the "Exhibition" box should be ticked (✓) and the name of the place of the exhibition should be indicated.

Box 6: Provide the item number.

Box 7: Provide the marks and number of packages.

Box 8: Provide the number and type of packages, HS tariff classification code and description of each good consigned. The HS tariff classification code should be indicated at the six-digit level.

The description of the good on a Certificate of Origin should be substantially identical to the description on the invoice and, if possible to the description under HS code for the good.

Box 9: For the goods that meet the origin criterion, the exporter must indicate the origin criterion met, in the manner shown in the following table:

Criterion (Insert in Box 9)	Description of Criterion
A	A good is wholly obtained or produced in the territory of a Party as defined in Article 4.3.
B (QVC 40% or CTH)	A good is produced in the territory of a Party, using non-originating materials that conform to qualifying value content or a change in tariff heading as defined in Articles 4.4 and 4.5, respectively.
C (PSR)	A good satisfies the product specific rules as specified in Annex 4-B.
DMI (<i>De Minimis</i>)	A good that does not undergo a change in tariff classification shall be considered as originating if the value of all non-originating materials used in its production that do not undergo the required change in tariff classification does not exceed 10% of the FOB value of the good and the good meets all other applicable criteria set forth in this Chapter 4 (Rules of Origin) for qualifying as an originating goods.
ACU (Accumulation)	A good which satisfies the origin criteria under Article 4.2 which is used in processing or production in the territory of the other Party as material for finished good, shall be deemed as a material originating in the territory of the latter Party where the working or processing of the finished goods has taken

	place.
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Box 10: For each good indicate the quantity or gross weight.

Box 11: Indicate the invoice number(s) and date(s) for each good. The invoice should be the one issued for the importation of the good into the importing Party.

If the invoice is issued by a person different from the exporter to whom the Certificate of Origin is issued and the person who issued the invoice is located in a non-Party, the number and date of the non-Party invoice should be indicated.

In a case where the invoice number issued in a non-Party at the time of issuance of the Certificate of Origin is not known, Box 11 should be left blank.

Box 12: This Box should be completed, signed and dated by the exporter. The "Date" should be the date when the Certificate of Origin is applied for.

Box 13: This Box should be completed, dated, signed and stamped by the Competent Authority of the exporting Party.