

EUROPEAN
FREE TRADE
ASSOCIATION



Treaty Series No. 5 (1968)

Amendments

to the

Convention establishing the European Free Trade
Association, signed at Stockholm on 4 January 1960

[In continuation of Treaty Series No. 46 (1966), Cmnd. 3059]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
January 1968*

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AMENDMENTS
TO THE CONVENTION ESTABLISHING THE EUROPEAN
FREE TRADE ASSOCIATION, SIGNED AT STOCKHOLM ON
4 JANUARY 1960

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AMENDMENTS
TO THE CONVENTION ESTABLISHING THE EUROPEAN
FREE TRADE ASSOCIATION, SIGNED AT STOCKHOLM ON
4 JANUARY 1960

DECISION OF THE COUNCIL No. 21 OF 1966

(Adopted at the 37th Meeting on 19th October, 1966)

AMENDMENT OF RULE 8 OF ANNEX B TO THE CONVENTION
AND AMENDMENT OR CANCELLATION OF CERTAIN
DECISIONS OF THE COUNCIL

THE COUNCIL,

Having regard to paragraph 5 of Article 4, and to paragraph 4 of Article 7, of the Convention,⁽¹⁾

Having regard to Decisions of the Council Nos. 6⁽²⁾ and 17 of 1966.⁽³⁾

DECIDES:

1. The amendment of Rule 8 of Annex B to the Convention effected by Decision of the Council No. 6 of 1966 is cancelled and the text of that Rule shall be as set out in Annex I to this Decision.

2. Decisions of the Council Nos. 4 of 1960, 19 of 1961 and 14 of 1962 are hereby cancelled.

3. Decisions of the Council Nos. 21 of 1961 and 3 of 1963 shall continue to have effect subject to their texts reading as set out in Annexes II and III respectively to this Decision.

4. This Decision shall take effect on 31st December 1966.

5. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

ANNEX I

"Rule 8. Documentary evidence

1. A claim that goods shall be accepted as eligible for Area tariff treatment shall be supported by appropriate documentary evidence as to origin, consignment and drawback. Documentary evidence shall consist of a declaration or certificate in a form appearing in, and completed as required by, Schedule IV to this Annex.

⁽¹⁾ " Treaty Series No. 30 (1960) ", Cmnd. 1026.

⁽²⁾ " Treaty Series No. 46 (1966) ", Cmnd. 3059, p. 4.

⁽³⁾ See page 13.

2. The exporter of the goods may choose either a declaration or a certificate. Nevertheless, the authorities of the exporting Member State may require for certain categories of goods that evidence of origin shall be furnished by certificate. A Member State may require that documentary evidence given in its territory as to drawback shall be certified by its authorities and shall give prior notification to the other Member States of its intention to prescribe such certification not less than thirty days before such requirement comes into operation. Where a Member State has so prescribed other Member States may refuse to accept documentary evidence which has not been certified in accordance with the prescription of the exporting Member State.

3. For the purposes of Rule 12 and Schedule IV, 're-exports' means goods exported without having undergone any process of production (as defined in paragraph 6 of Rule 1) in the exporting Member State.

4. Any governmental authority of, or authorised body nominated by, a Member State, and appointed for the issuing of certificates shall be notified to the other Member States. Such governmental authority or authorised body shall satisfy itself as to the accuracy of evidence obtained by it; where necessary it shall require the production of additional information, and carry out any suitable check. If the authorities of the importing Member State so require, a confidential indication of the producer of the goods shall be given.

5. Nominations of authorised bodies may be withdrawn by the exporting Member State if the need arises. Each Member State shall retain, in regard to its imports, the right of refusing to accept certificates from any authorised body which is shown to have repeatedly issued certificates in an improper manner, but such action shall not be taken without adequate prior notification to the exporting Member State of the grounds for dissatisfaction.

6. In cases where the Member States concerned recognize that it is impracticable for the producer to make a declaration referred to in Schedule IV to this Annex, the exporter in the Member State of last production may make that declaration in such form as those Member States may for the purpose specify.

7. The Council may decide that further or different provisions concerning evidence as to origin, consignment or drawback shall apply to particular goods or classes of transactions."

" Règle 8. Preuve documentaire

1. Toute demande visant à faire admettre des marchandises au bénéfice du régime tarifaire de la Zone doit être accompagnée de la preuve documentaire appropriée de l'origine, de l'expédition et de la ristourne des droits de douane. Cette preuve est fournie sous la forme d'une déclaration ou d'un certificat, dûment rempli, comme prescrit à l'appendice IV à la présente annexe.

2. L'exportateur des marchandises peut choisir soit une déclaration soit un certificat. Toutefois, les autorités de l'Etat membre exportateur peuvent exiger, pour certaines catégories de marchandises, que la preuve

de l'origine soit apportée par un certificat. Un Etat membre peut exiger que la preuve documentaire donnée sur son territoire au sujet de la ristourne des droits de douane soit attestée par ses propres autorités; il notifie aux autres Etats membres, trente jours au moins avant l'entrée en vigueur de cette disposition, son intention de prescrire des attestations de ce genre. Si un Etat membre a édicté une telle disposition, les autres Etats membres peuvent refuser d'accepter des preuves documentaires qui n'auraient pas été attestées conformément aux prescriptions de l'Etat membre exportateur.

3. Aux fins de la Règle 12 et de l'appendice IV, on entend par 'réexportations' des marchandises exportées sans avoir subi de processus de production (aux termes du paragraphe 6 de la Règle 1) dans l'Etat membre exportateur.

4. Les autorités gouvernementales ou l'organisme habilité, désignés par un Etat membre pour délivrer des certificats, doivent être notifiés aux autres Etats membres. Les autorités gouvernementales ou l'organisme habilité vérifient l'exactitude des preuves qui leur sont fournies; s'il en est besoin, ils demandent des renseignements complémentaires et procèdent à tout contrôle utile. Si les autorités de l'Etat membre importateur le demandent, l'indication du producteur des marchandises leur est donnée confidentiellement.

5. L'agrément donné aux organismes habilités peut en cas de besoin être retiré par l'Etat membre exportateur. Tout Etat membre conserve le droit de ne pas accepter, pour ses importations, les certificats d'un organisme qui, à plusieurs reprises, délivré des certificats d'une manière abusive; toutefois, cette mesure ne peut être prise qu'après notification des motifs de mécontentement à l'Etat membre exportateur.

6. Dans les cas où les Etats membres intéressés reconnaissent que, pour des raisons pratiques, il est impossible de fournir une déclaration sous la forme prescrite à l'appendice IV de la présente annexe, l'exportateur dans l'Etat membre où s'est effectué le dernier processus de production peut faire cette déclaration sous la forme que ces Etats membres préciseront.

7. Le Conseil peut décider que des dispositions additionnelles ou différentes concernant la preuve de l'origine, de l'expédition ou de la ristourne des droits de douane s'appliquent à des catégories particulières de marchandises ou de transactions."

ANNEX II

DECISION OF THE COUNCIL No. 21 OF 1961

(Adopted at the 33rd Meeting on 2nd November, 1961)

EVIDENCE OF ORIGIN FOR CONSIGNMENTS OF SMALL VALUE

THE COUNCIL,

Having regard to paragraph 6 of Rule 8 of Annex B to the Convention,

DECIDES:

1. In the case of a consignment, of a value not exceeding the amount specified in paragraph 3 below, which is imported for personal use and not for sale, the production of documentary evidence of origin, as required in paragraph 1 of Rule 8 of Annex B to the Convention, shall be dispensed with, provided that:

- (a) the goods were acquired in the territory of a Member State and are imported in passengers' baggage, or
- (b) the goods are consigned from a private individual in the territory of one Member State to a private individual in the territory of another Member State.

2. In the case of a consignment not covered by paragraph 1 above which consists exclusively of goods of Area origin consigned from the territory of a Member State and which is of a value not exceeding the amount specified in paragraph 3 below, a statement signed by the exporter shall be accepted in place of the evidence of Area origin required in paragraph 1 of Rule 8 of Annex B to the Convention. This statement, indicating that the goods are of Area origin under the provisions of the Convention, shall be given on the invoice in the following terms (or in the corresponding official translations): "All the above articles are of EFTA origin".

3. The amount referred to in paragraphs 1 and 2 above is the f.o.b. export value of the consignment in the country of exportation not exceeding the equivalent of the following value, that is to say:

in the case of importations into Austria	...	...	Ö.S.	2,000
in the case of importations into Denmark	...	...	D.Kr.	500
in the case of importations into Norway	...	...	N.Kr.	500
in the case of importations into Portugal	...	...	Esc.	2,500
in the case of importations into Sweden	...	...	Sw.Kr.	400
in the case of importations into Switzerland	...	...	Sw.Fr.	350
in the case of importations into United Kingdom	...	...	£	25

4. In any case of doubt, the authorities of the importing Member State shall be free to require further evidence of origin.

5. This Decision shall enter into force on 1st January, 1962.

ANNEX III

DECISION OF THE COUNCIL No. 3 OF 1963

(Adopted at the 6th Meeting on 22nd February, 1963)

**AREA TARIFF TREATMENT FOR GOODS OF AREA ORIGIN
CONSIGNED TO A MEMBER STATE FROM AN EXHIBITION
IN A NON-AREA COUNTRY**

THE COUNCIL,

Having regard to paragraph 6 of Rule 8 of Annex B to the Convention,

DECIDES:

1. Goods which are of Area origin under paragraph 1 of Article 4 of the Convention and which are consigned to a Member State from an exhibition held in a non-Area country shall be treated as eligible for Area tariff treatment if it is shown to the satisfaction of the Customs authorities of the importing Member State that the goods:

- (a) were consigned by an exporter from the territory of a Member State to the exhibition and were exhibited there; and
- (b) were sold or otherwise disposed of by that exporter to someone in the importing Member State; and
- (c) were consigned from the exhibition to the importing Member State during or immediately after the end of the exhibition and are in the same state at importation as they were in when consigned to the exhibition; and
- (d) have not, since they were consigned to the exhibition, been used otherwise than by being demonstrated at the exhibition.

2. The documentary evidence for the goods shall be on Forms 1, 2 or 3, completed in the usual manner. In addition, the name and address of the exhibition shall be inserted in the space marked "Consignee".

3. In paragraph 1 above, the term "exhibition" means a trade, industrial, agricultural or crafts exhibition, fair, or similar show or display, not organized for private purposes in shops or business premises with a view to the sale of foreign goods.

4. This Decision shall come into force on 1st May 1963.

5. Area tariff treatment shall not be refused to goods covered by this Decision on the grounds that drawback (as defined in the text of Article 7 of the Convention taking effect on 31st December 1966), which would affect their eligibility for Area tariff treatment, has been claimed or made use of, *provided* that any drawback with such effect has been repaid or made ineffective.

DECISION OF THE COUNCIL No. 23 OF 1966

(Adopted at the 40th Meeting on 17th November, 1966)

**AMENDMENT OF RULE 12 OF ANNEX B TO THE CONVENTION
DRAWBACK AND RE-EXPORTED GOODS**

THE COUNCIL,

Having regard to paragraph 5 of Article 4, and paragraph 4 of Article 7, of the Convention,

Having regard to Decisions of the Council Nos. 6,⁽²⁾ 7, 15 and 18 of 1966,

DECIDES:

1. The English text of Annex B to the Convention shall be further amended by adding the following new paragraph 4 to the text of Rule 12 of that Annex taking effect on 31st December 1966 by virtue of Decision of the Council No. 6 of 1966:

“4. Drawback claimed or made use of in connection with any exportation before 31st December 1966 of goods from the territory of a Member State shall not affect their eligibility for Area tariff treatment if they are after that date re-exported from the territory of another Member State. This exception remains in force only up to and including 31st December 1968.”.

2. The French text of Annex B of the Convention shall be further amended by adding the following new paragraph 4 to the text of Rule 12 of that Annex taking effect on 31st December 1966 by virtue of Decision of the Council No. 15 of 1966:

“4. Une demande de ristourne des droits de douane ou le bénéfice d'une telle ristourne en rapport avec une exportation de marchandises, du territoire d'un Etat membre, avant le 31 décembre 1966 n'affecte pas l'admission de ces marchandises au bénéfice du régime tarifaire de la Zone lorsqu'elles sont réexportées vers le territoire d'un autre Etat membre. Cette exception n'est valable que jusqu'au 31 décembre 1968.”.

3. This Decision shall take effect on 31st December 1966.

4. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

DECISION OF THE COUNCIL No. 9 OF 1967

(Adopted at the 22nd Meeting on 6th July, 1967)

**ADDITION OF RULE 13 TO ANNEX B TO THE CONVENTION
GOODS CONSIGNED FROM A CUSTOMS WAREHOUSE
OUTSIDE THE AREA**

THE COUNCIL,

Having regard to paragraph 5 of Article 4 and to paragraph 7 of Rule 8 of Annex B to the Convention.

DECIDES:

1. Annex B to the Convention shall be amended by adding a new Rule 13 as set out in Annex I (English text) and Annex II (French text).
2. This Decision shall take immediate effect; Decisions of the Council Nos. 11 of 1965⁽⁴⁾ and 16 of 1966 are hereby cancelled.
3. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

ANNEX I

“Rule 13. Goods consigned from a Customs warehouse outside the Area

1. Goods consigned from a Customs warehouse outside the Area to the territory of a Member State shall be deemed to be consigned from the territory of a Member State if it is shown to the satisfaction of the Customs authorities of the importing Member State that the goods:

- (a) were consigned to the Customs warehouse from the territory of a Member State; and
- (b) have remained continuously in the Customs warehouse until consignment to the territory of the importing Member State, under supervision of the appropriate authority, and stored there under such conditions that the substitution of, or mixing with, other goods have been prevented; and
- (c) have not been used nor undergone any operation (other than packing) outside the Area; and
- (d) have not been packed outside the Area in packing with which the goods are ordinarily sold by retail; and
- (e) were entered for Customs clearance for home use in the importing Member State within twelve months from the date of their exportation from the territory of a Member State.

2. The documentary evidence, as provided for in Rule 8, shall include the date of last exportation from the territory of a Member State and the name and address of the Customs warehouse. In the case of Forms 1, 2, 3 and 4, the Supplementary Declaration for Re-exports and the Continuation Sheet, the particulars as to the name and address of the Customs warehouse should be inserted in the space marked ‘Consignee (name and address)’ and the name and address of the consignee in the importing Member State may be omitted.

(4) “Treaty Series No. 46 (1966)”, Cmnd. 3059, p. 3.

3. The Customs authorities of the importing Member State may also require evidence, in such form as they consider appropriate and certified by the competent authorities for the Customs warehouse, that the conditions referred to in paragraph 1 above are fulfilled.

4. Area tariff treatment shall not be refused to goods covered by this Rule on the grounds that drawback (as defined in Article 7) which would affect their eligibility for Area tariff treatment, has been claimed or made use of *provided* that any drawback with such effect has been repaid or made ineffective.

5. For the purposes of this Rule, 'Customs warehouse' means a designated place where imported goods are stored under Customs control *without payment of import duties and taxes*. It does not include free ports or free zones, but includes Customs warehouses as described above which are situated within free ports or free zones."

ANNEX II

" Règle 13. Marchandises expédiées d'un entrepôt douanier situé en dehors de la Zone

1. Les marchandises expédiées d'un entrepôt douanier situé en dehors de la Zone à destination du territoire d'un Etat membre sont considérées comme expédiées du territoire d'un Etat membre s'il est établi à la satisfaction des autorités douanières de l'Etat membre importateur que les marchandises :

- (a) ont été expédiées à l'entrepôt douanier en provenance du territoire d'un Etat membre;
- (b) ont séjourné sans interruption dans cet entrepôt douanier sous la surveillance de l'autorité compétente, jusqu'à leur expédition vers le territoire de l'Etat membre importateur, et y ont été entreposées dans des conditions excluant toute possibilité d'échange ou de mélange avec d'autres marchandises;
- (c) n'ont été ni utilisées ni modifiées (autrement que le réemballage) en dehors de la Zone;
- (d) n'ont pas été réemballées en dehors de la Zone dans des emballages servant habituellement à la vente au détail de ces marchandises;
- (e) ont été annoncées au dédouanement en vue de leur mise à la consommation dans l'Etat membre importateur dans le délai de 12 mois à compter de leur exportation du territoire d'un Etat membre.

2. La preuve documentaire prévue à la règle 8 doit mentionner la date de la dernière exportation du territoire d'un Etat membre ainsi que le nom et l'adresse de l'entrepôt douanier. Lorsqu'on utilise les formules 1, 2, 3 et 4, la 'déclaration supplémentaire AELE pour réexportations' et la 'feuille-allonge', le nom et l'adresse de l'entrepôt douanier doivent être inscrits dans l'espace réservé au 'destinataire (nom et adresse)'; le nom et l'adresse du destinataire dans l'Etat membre importateur pouvant être omis.

3. Les autorités douanières de l'Etat membre importateur peuvent exiger une preuve supplémentaire, sous la forme qu'elles jugent appropriée, certifiée par les autorités compétentes de l'entrepôt douanier, attestant que les conditions mentionnées dans le paragraphe 1 ci-dessus sont remplies.

4. Le régime tarifaire de la Zone ne sera pas refusé à des marchandises visées par la présente règle sous prétexte qu'elles ont fait l'objet d'une demande de ristourne de droits de douane ou qu'elles ont bénéficié d'une telle ristourne (au sens de l'article 7) excluant le régime tarifaire de la Zone, à la condition qu'une telle ristourne ait été restituée ou rendue nulle et non avenue.

5. Par 'entrepôt douanier' aux fins de la présente règle, on entend un lieu désigné à cet effet où les marchandises importées sont stockées sous contrôle de la douane sans paiement des droits et autres taxes à l'importation. Ce terme ne comprend ni les ports francs ni les zones franches, mais bien les entrepôts douaniers tels qu'ils ont été décrits ci-dessus et qui sont situés à l'intérieur des ports francs ou des zones franches."

DECISION OF THE COUNCIL No. 8 OF 1967

(Adopted at the 22nd Meeting on 6th July, 1967)

AMENDMENT OF SCHEDULE I TO ANNEX B TO THE CONVENTION

THE COUNCIL,

Having regard to paragraph 5 of Article 4 of the Convention,

DECIDES:

1. Schedule I to Annex B to the Convention shall be amended as set out in the Annex to this Decision.
2. This Decision shall take effect on 1st August 1967.
3. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

ANNEX

Amendment to Schedule I to Annex B to the Convention

1. Replace the Finished product description for ex 21.07 by:
"Food preparations not elsewhere specified or included other than the following: ice cream (containing fat) but not including ice-cream powder; coffee pastes; sweetfat; fat emulsions and similar preparations of

a kind used in the manufacture of bakers' wares, containing 10 per cent or more of fat by weight; cooked ravioli, macaroni, spaghetti and the like; yoghurt, with added flavouring or fruit."

2. In the title to Chapter 34, place quotation marks round the words: dental waxes.

3. In the title to Chapter 42, delete the words: "the like" and insert instead the words: "similar containers".

DECISION OF THE COUNCIL No. 22 OF 1966

(Adopted at the 40th Meeting on 17th November, 1966)

AMENDMENT OF SCHEDULE II TO ANNEX B TO THE CONVENTION

THE COUNCIL,

Having regard to paragraph 5 of Article 4 of the Convention,

DECIDES:

1. Schedule II to Annex B to the Convention shall be amended, with effect on and from 31st December 1966, as set out in the Annex to this Decision.

2. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

ANNEX

Amendment of Schedule II to Annex B to the Convention

Insert, with effect on and from 31st December 1966, immediately following the item relating to "Bolting cloth" (ex 59.17) the following:

<i>Finished product</i>	<i>Qualifying process to be performed within the area</i>
"* ex 59.17 Fabrics (other than woven textile felts) of a kind commonly used in machinery for making or finishing cellulosic pulp, paper or paper-board, including such fabrics in tubular or endless form.	Manufacture from monofil of polyester (ex 51.02); or from materials not falling in Chapters 50 to 62."

DECISION OF THE COUNCIL No. 17 OF 1966

(Adopted at the 29th Meeting on 21st July, 1966)

**AMENDMENT OF SCHEDULE IV TO ANNEX B TO THE
CONVENTION**

THE COUNCIL,

Having regard to paragraph 5 of Article 4 of the Convention,

Having regard to Decisions of the Council No. 6 of 1966,(?)

DECIDES:

1. The text of Schedule IV to Annex B to the Convention shall be the text in the Annex to this Decision.
2. This Decision shall take effect on 31st December 1966.
3. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

ANNEX

Schedule IV to Annex B

DOCUMENTARY EVIDENCE

1. Forms 1, 2, 3, 4, Supplementary Declaration for Re-exports and Continuation Sheet shall be printed on paper of size A4 (297 millimetres long × 210 millimetres broad).
2. The text of the Declarations for use on commercial invoices may be printed, stamped or type-written at the foot of, or on the reverse of, such invoices.
3. Official translation into any of the official languages of the Member States may be used for the Forms and Declarations; such official translations should be notified to the authorities of the other Member States.

Producer and exporter (name and address)	Reference No.
Consignee (name and address)	<p style="text-align: center;"> EUROPEAN FREE TRADE ASSOCIATION EFTA DECLARATION FORM 1 </p> <p style="text-align: center;">For use when the producer is also the exporter</p>
* For official use	For official use in importing country

Marks and numbers of packages; number and kind of packages; description of goods	Origin criterion (in accordance with Note 1 overleaf)	Weight or quantity	Invoice value (indicate currency) or number and date of invoice

The undersigned, being the producer and exporter of the goods described above, declares that :

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention ;
2. each article comprised in the goods has been produced in accordance with the origin criterion stated above ;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production ;
4. the goods are consigned from to the consignee stated above,
(country)

Place and date of issue ; signature of authorized signatory

NOTES

I. ORIGIN CRITERION

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item shown overleaf, in the manner indicated below.

If each article comprised in the item has been

- (a) wholly produced within the EFTA Area : the letter "A" should be inserted ;
- (b) produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article : the Brussels Nomenclature heading number relating to that qualifying process should be inserted ;
- (c) produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50 % of the export price of the article : the figure "50 %" should be inserted.

II. DRAWBACK, TEMPORARY DUTY-FREE ADMISSION AND ARRANGEMENTS WITH EQUIVALENT EFFECT

Notes (a) to (c) below give guidance on the interpretation of paragraph 3 of the declaration overleaf (see Article 7 of, and Annex B to, the EFTA Convention).

- (a) "Drawback, temporary duty-free admission or arrangement with equivalent effect" means any arrangement for

refund, or remission (including free port, free zone and Customs warehouse arrangements) of all or part of the duties applicable to imported materials used in the production of the goods provided that the arrangement, expressly or in effect, allows such refund or remission if goods are exported but not if they are retained for home use.

- (b) The term "duties" in paragraph (a) includes customs duties and any other charges with equivalent effect.
- (c) Drawback, temporary duty-free admission and arrangements with equivalent effect which, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment of the goods include those in respect of :
 - (i) revenue duties and other fiscal charges except any protective element in such duties or charges ; information regarding revenue duties and fiscal charges can be obtained from the Customs authorities in the country of last production ;
 - (ii) the packing of the goods (and materials used in the production of such packing), other than packing with which the goods are ordinarily sold by retail ;
 - (iii) consignments of an f.o.b. export value not exceeding the amounts mentioned in Rule 12 (1) (b) of Annex B to the EFTA Convention ;
 - (iv) agricultural materials mentioned in Rule 12 (3) of Annex B to the EFTA Convention.

III. The completion of this form implies that the producer will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying this declaration.

IV. Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.

NOTES

I. ORIGIN CRITERION

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item in the manner indicated below.

If each article comprised in the item has been

- (a) wholly produced within the EFTA Area: the letter "A" should be inserted;
 - (b) produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article: the Brussels Nomenclature heading number relating to that qualifying process should be inserted;
 - (c) produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article:
 - (i) does not exceed 50% of the price paid or payable to the producer: the figure "50%" should be inserted;
 - (ii) exceeds 50% of that price, the actual percentage should be inserted.
- II. The completion of this declaration implies that the producer will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying this declaration.
- III. Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.

Reference No.

EUROPEAN FREE TRADE ASSOCIATION

EFTA DECLARATION

FORM 2

For use in the country of last production when the producer is not also the exporter

For official use in importing country

I. DECLARATION BY THE PRODUCER

Marks and numbers of packages; number and kind of packages; description of goods	Origin criterion (in accordance with Note I)	Weight or quantity	Number and date of producer's invoice

The undersigned, being the producer of the goods described above, declares that:

1. statements in this declaration are made in accordance with the provisions of Article 4 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been produced in accordance with the origin criterion stated above.

Producer (name and address)

Place and date of issue; signature of authorised signatory

Exporter (name and address)	Reference No. NOTES A. DRAWBACK, TEMPORARY DUTY-FREE ADMISSION AND ARRANGEMENTS WITH EQUIVALENT EFFECT Notes (a) to (e) below give guidance on the interpretation of paragraph 4 of the declaration below (see Article 7 of, and Annex B to, the EFTA Convention). (a) "Drawback, temporary duty-free admission or arrangement with equivalent effect" means any arrangement for refund, or remission (including free port, free zone and Customs warehouse arrangements) of all or part of the duties applicable to imported materials used in the production of the goods provided that the arrangement, expressly or in effect, allows such refund or remission if goods are exported but not if they are retained for home use. (b) The term "duties" in paragraph (a) includes customs duties and any other charges with equivalent effect. (c) Drawback, temporary duty-free admission and arrangements with equivalent effect which, under the provisions of the LFTA Convention, do not affect eligibility for Area tariff treatment of the goods include those in respect of: (i) revenue duties and other fiscal charges except any protective element in such duties or charges; information regarding revenue duties and fiscal charges can be obtained from the Customs authorities in the country of last production; (ii) the packing of the goods (and materials used in the production of such packing), other than packing with which the goods are ordinarily sold by retail; (iii) consignments of an <i>Ex b</i> , export value not exceeding the amounts mentioned in Rule 12 (1) (b) of Annex B to the EFTA Convention; (iv) agricultural materials mentioned in Rule 12 (3) of Annex B to the EFTA Convention. B. The completion of this declaration implies that the exporter will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying this declaration. C. Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.
Consignee (name and address)	
For official use	
II. DECLARATION BY THE EXPORTER	

Marks and numbers of packages; number and kind of packages; description of goods	Weight or quantity	Invoice value (indicate currency) or number and date of exporter's invoice

The undersigned, being the exporter of the goods described above, declares that:

- statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
- the goods (disregarding any packing) consist exclusively of articles which are the subject of the producer's declaration overleaf;
- in the case of any article for which "A" or B percentage is shown in the "Origin criterion" column overleaf, the value, given by the producer, of materials imported from outside the EFTA Area or of undetermined origin, together with the value of such materials contained in any added retail packing, does not exceed 50% of the export price of the article;
- no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
- the goods are consigned from..... to the consignee stated above.
(country)

Place and date of issue; signature of authorised signatory

Exporter (name and address)	Reference No. EUROPEAN FREE TRADE ASSOCIATION EFTA CERTIFICATE FORM 3 Certificate by a governmental authority or authorised body
Consignee (name and address)	
For official use	For official use in importing country

I. CERTIFICATE BY GOVERNMENTAL AUTHORITY OR AUTHORISED BODY

Marks and numbers of packages; number and kind of packages; description of goods	Origin criterion (in accordance with Note I overleaf)	Weight or quantity	Invoice value (indicate currency) or number and date of invoice

Stamp of authority or body	<ol style="list-style-type: none"> The undersigned certifies that statements in this certificate are made in accordance with the provisions of Article 4 of, and Annex B to, the EFTA Convention. The authority or authorised body has obtained a declaration by the last producer as to the origin of the articles described above and has satisfied itself that each article has been produced in accordance with the origin criterion stated above. Remarks (if any) 	
	<table border="1"> <tr> <td>Date</td> <td>Signature of authorised signatory of authority or body</td> </tr> </table>	Date
Date	Signature of authorised signatory of authority or body	

II. DECLARATION BY THE EXPORTER

The undersigned, being the exporter of the goods described above, declares that:

- statements in this declaration are made in accordance with the provisions of Article 7 of, and Annex B to, the EFTA Convention;
- no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
- the goods are consigned from to the consignee stated above.
(country)

Place and date of issue; signature of exporter's authorised signatory

NOTES

I. ORIGIN CRITERION

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item shown overleaf, in the manner indicated below.

If each article comprised in the item has been

- | | |
|---|---|
| (a) wholly produced within the EFTA Area : | the letter "A" should be inserted ; |
| (b) produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article : | the Brussels Nomenclature heading number relating to that qualifying process should be inserted ; |
| (c) produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50 % of the export price of the article ; | the figure "50 %" should be inserted. |

II: DRAWBACK, TEMPORARY DUTY-FREE ADMISSION AND ARRANGEMENTS WITH EQUIVALENT EFFECT

Notes (a) to (c) below give guidance on the interpretation of paragraph 2 of the declaration by the exporter overleaf (see Article 7 of, and Annex B to, the EFTA Convention).

- (a) "Drawback, temporary duty-free admission or arrangement with equivalent effect" means any arrangement for

refund, or remission (including free port, free zone and Customs warehouse arrangements) of all or part of the duties applicable to imported materials used in the production of the goods provided that the arrangement, expressly or in effect, allows such refund or remission if goods are exported but not if they are retained for home use.

- (b) The term "duties" in paragraph (a) includes customs duties and any other charges with equivalent effect.
- (c) Drawback, temporary duty-free admission and arrangements with equivalent effect which, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment of the goods include those in respect of :
- (i) revenue duties and other fiscal charges except any protective element in such duties or charges ; information regarding revenue duties and fiscal charges can be obtained from the Customs authorities in the country of last production ;
 - (ii) the packing of the goods (and materials used in the production of such packing), other than packing with which the goods are ordinarily sold by retail ;
 - (iii) consignments of an f.o.b. export value not exceeding the amounts mentioned in Rule 12 (1) (b) of Annex B to the EFTA Convention ;
 - (iv) agricultural materials mentioned in Rule 12 (3) of Annex B to the EFTA Convention.

III. The completion of this form implies that the authority or body and the exporter will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying this certificate and declaration.

IV. Persons who furnish or cause to be furnished untrue declarations or certificates render themselves liable to penalties.

Exporter (name and address)	Reference No. EUROPEAN FREE TRADE ASSOCIATION EFTA CERTIFICATE FOR RE-EXPORTS FORM 4
Consignee (name and address)	
For official use	Certificate by a governmental authority or authorised body
	For official use in importing country

I. CERTIFICATE BY GOVERNMENTAL AUTHORITY OR AUTHORISED BODY

Marks and numbers of packages; number and kind of packages; description of goods	Origin criterion (in accordance with Note 1 overleaf)	Weight or quantity	Invoice value (indicate currency) or number and date of exporter's invoice

Stamp of authority or body	<ol style="list-style-type: none"> The undersigned certifies that statements in this certificate are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention. The authority or authorised body has obtained a declaration by the last producer or an EFTA certificate as to the origin of the articles described above and has satisfied itself that each article has been produced in accordance with the origin criterion stated above. The authority or authorised body has obtained a declaration by the exporter in the country of last production (certified by the Customs authorities where so prescribed) that no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as under the provisions of the EFTA Convention do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from that country. Remarks (if any) 	
	<table border="1"> <tr> <td>Date</td> <td>Signature of authorised signatory of authority or body</td> </tr> </table>	Date
Date	Signature of authorised signatory of authority or body	

II. DECLARATION BY THE EXPORTER

The undersigned, being the exporter of the goods described above, declares that the goods are consigned from (country) to the consignee stated above.

Place and date of issue; signature of exporter's authorised signatory

NOTES

I. ORIGIN CRITERION

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item shown overleaf, in the manner indicated below.

If each article comprised in the item has been

- (a) wholly produced within the EFTA Area : the letter "A" should be inserted ;
- (b) produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article : the Brussels Nomenclature heading number relating to that qualifying process should be inserted ;
- (c) produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50 % of the export price of the article in the country of last production : the figure "50 %" should be inserted.

II. DRAWBACK, TEMPORARY DUTY-FREE ADMISSION AND ARRANGEMENTS WITH EQUIVALENT EFFECT

Notes (a) to (c) below give guidance on the interpretation of paragraph 3 of the certificate overleaf (see Article 7 of, and Annex B to, the EFTA Convention).

- (a) "Drawback, temporary duty-free admission or arrangement with equivalent effect" means any arrangement for

refund, or remission (including free port, free zone and Customs warehouse arrangements) of all or part of the duties applicable to imported materials used in the production of the goods provided that the arrangement, expressly or in effect, allows such refund or remission if goods are exported but not if they are retained for home use.

- (b) The term "duties" in paragraph (a) includes customs duties and any other charges with equivalent effect.
- (c) Drawback, temporary duty-free admission and arrangements with equivalent effect which, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment of the goods include those in respect of :
 - (i) revenue duties and other fiscal charges except any protective element in such duties or charges ; information regarding revenue duties and fiscal charges can be obtained from the Customs authorities in the country of last production ;
 - (ii) the packing of the goods (and materials used in the production of such packing), other than packing with which the goods are ordinarily sold by retail ;
 - (iii) consignments of an f.o.b. export value not exceeding the amounts mentioned in Rule 12 (1) (b) of Annex B to the EFTA Convention ;
 - (iv) agricultural materials mentioned in Rule 12 (3) of Annex B to the EFTA Convention.

III. The completion of this form implies, that the authority or body and the exporter will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying this certificate and declaration.

IV. Persons who furnish or cause to be furnished untrue declarations or certificates render themselves liable to penalties.

Re-exporter (name and address)	Reference No. EUROPEAN FREE TRADE ASSOCIATION EFTA SUPPLEMENTARY DECLARATION FOR RE-EXPORTS.		
Consignee (name and address)	This Supplementary Declaration should be completed by the re-exporter and attached to the EFTA Declaration or EFTA Certificate which has been obtained for the goods which are now re-exported		
For official use	For official use in importing country		
Marks and numbers of packages; number and kind of packages; description of goods	Weight or quantity	Invoice value (indicate currency) or number and date of re-exporter's invoice	
The undersigned, being the re-exporter of the goods described above, which are consigned from (country) to the consignee stated above, declares that the goods (disregarding any packing) consist exclusively of articles which are the subject of the attached EFTA Declaration or EFTA Certificate (reference number, if any, and date).			
			Place and date of issue; signature of authorised signatory

Producer, exporter, authority or body (name and address)

Page number.....

EUROPEAN FREE TRADE ASSOCIATION

CONTINUATION SHEET

to EFTA Declaration, or EFTA Certificate, reference number

For inserting items which, for lack of space, cannot be put on the main form

Consignee (name and address)

Marks and numbers of packages; number and kind of packages; description of goods

Origin criterion (in accordance with Note 1 in the accompanying EFTA Declaration/Certificate)

Weight or quantity

Invoice value (indicate currency) or number and date of invoice

Place and date of issue; signature of authorised signatory

Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.

Notes on use of EFTA Declaration 1a (A)
(not to be inserted on the invoice)

EFTA Declaration 1a (A) is to be used only when all the goods on the invoice have been wholly produced within the EFTA Area.

For the meaning of "wholly produced" see Rule 2 of Annex B to, and paragraph 2 of Article 4 of, the Convention.

EFTA DECLARATION 1a (A)

The undersigned, being the producer and exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been wholly produced within the EFTA Area;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from..... to the consignee stated on the invoice.
(country)

.....
(Signature of authorised signatory)

(EFTA Declaration 1a (B) provides a text for use on the commercial invoice)

Notes on use of EFTA Declaration 1a (B) (not to be inserted on the invoice)

EFTA Declaration 1a (B) is to be used only when all the goods on the invoice have been produced within the EFTA Area by a qualifying process described in the EFTA Process Lists (see Schedules I and II).

If all the articles on the invoice have been produced by a qualifying process for one Brussels Nomenclature heading, the number of that heading must be inserted.

In other cases, the words "shown on invoice" must be inserted, and the invoice must include a column (headed "Origin criterion") in which the Brussels Nomenclature heading for the process must be specified against each article.

EFTA DECLARATION 1a (B)

The undersigned, being the producer and exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been produced within the EFTA Area by a qualifying process described for that article in the EFTA Process Lists under Brussels Nomenclature heading.....;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from to the consignee stated on the invoice.
(country)

.....
(Signature of authorised
signatory)

Notes on use of EFTA Declaration 1a (C)
(not to be inserted on the invoice)

EFTA Declaration 1a (C) is to be used only when all the goods on the invoice have been produced within the EFTA Area and qualify under the "percentage criterion" (see Rule 3 of Annex B to, and paragraphs 1 (c) and 2 of Article 4 of, the Convention).

EFTA DECLARATION 1a (C)

The undersigned, being the producer and exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the export price of the article;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from.....to the consignee stated on the invoice.
(country)

.....
(Signature of authorised signatory)

(EFTA Declaration 1a (Spare parts) provides a text for use on a commercial invoice where a producer of complete goods falling in Brussels Nomenclature Chapters 84-92 exports a consignment consisting of spare parts or tools for these goods)

Notes on use of EFTA Declaration 1a (Spare parts) (not to be inserted on the invoice)

I. General

EFTA Declaration 1a (Spare parts) is to be used only when all the spare parts and tools on the invoice qualify under one of the three origin criteria (paragraph 2 (a), or 2 (b) or 2 (c)). The two sub-paragraphs in paragraph 2 which do not apply must be deleted or omitted from the Declaration.

II. Special Note on paragraph 2 (b)

If all the spare parts and tools on the invoice have been produced by a qualifying process for one Brussels Nomenclature heading, the number of that heading must be inserted.

In other cases, the words "shown on invoice" must be inserted, and the invoice must include a column (headed "Origin criterion") in which the Brussels Nomenclature heading for the process must be specified against each article.

EFTA DECLARATION 1a (Spare parts)

The undersigned, being the exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been
 - (a) wholly produced within the EFTA Area; or
 - (b) produced within the EFTA Area by a qualifying process described for that article in the EFTA Process Lists under Brussels Nomenclature heading.....; or
 - (c) produced within the EFTA Area and the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the export price of the article in the country of last production;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from..... to the consignee stated on the invoice:
(country)
5. each article comprised in the goods is a spare part or a tool for goods of Brussels Nomenclature Chapters 84-92 which have been produced by the exporter.

.....
(Signature of authorised
signatory)

(EFTA Declaration 1b provides a text for use on a commercial invoice containing a column headed "Origin criterion")

Notes on use of EFTA Declaration 1b

(not to be inserted on the invoice)

I. EFTA Declaration 1b may be used where different articles on the invoice qualify under different criteria of origin (see paragraphs 2(a), 2(b) and 2(c) of the Declaration) but may also be used in cases where all the articles on the invoice qualify under the same criterion.

II. The invoice used with this Declaration must include a column headed "Origin criterion", in which the criterion on the basis of which Area origin is claimed must be specified for each item on the invoice by inserting either the letter "A" or the Brussels Nomenclature heading number of the qualifying process for the item or the figure "50%", as appropriate.

EFTA DECLARATION 1b

The undersigned, being the producer and exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been produced within the EFTA Area as indicated for that article in the column of the invoice headed "Origin criterion"; in that column
 - (a) "A" means that the article has been wholly produced within the EFTA Area;
 - (b) a Brussels Nomenclature heading number means that the article has been produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article;
 - (c) "50%" means that the value of any materials imported from outside the EFTA Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the export price of the article;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from..... to the consignee stated on the invoice.
(countries)

.....
(Signature of authorized signatory)

(EFTA Declaration 1b (Spare parts) provides a text for use on a commercial invoice containing a column headed "Origin criterion", where a producer of complete goods falling in Brussels Nomenclature Chapters 84-92 exports a consignment consisting of spare parts or tools for these goods)

Notes on use of EFTA Declaration 1b (Spare parts) (not to be inserted on the invoice)

I. EFTA Declaration 1b (Spare parts) may be used where different spare parts or tools on the invoice qualify under different origin criteria (see paragraphs 2 (a), 2 (b) and 2 (c) of the Declaration) but may also be used in cases where all the spare parts and tools on the invoice qualify under the same criterion.

II. The invoice used with this Declaration must include a column headed "Origin criterion", in which the criterion on the basis of which Area origin is claimed must be specified for each item on the invoice by inserting either the letter "A" or the Brussels Nomenclature heading number of the qualifying process for the item or the figure "50 %", as appropriate.

EFTA DECLARATION 1b (Spare parts)

The undersigned, being the exporter of the goods covered by this invoice, declares that:

1. statements in this declaration are made in accordance with the provisions of Articles 4 and 7 of, and Annex B to, the EFTA Convention;
2. each article comprised in the goods has been produced within the EFTA Area as indicated for that article in the column of the invoice headed "Origin criterion"; in that column
 - (a) "A" means that the article has been wholly produced within the EFTA Area;
 - (b) a Brussels Nomenclature heading number means that the article has been produced within the EFTA Area by a qualifying process described in the EFTA Process Lists for that article;
 - (c) "50%" means that the value of any materials imported from outside the EFTA Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the export price of the article in the country of last production;
3. no drawback, temporary duty-free admission or arrangement with equivalent effect (except such as, under the provisions of the EFTA Convention, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production;
4. the goods are consigned from to the consignee stated on the invoice:
(country)
5. each article comprised in the goods is a spare part or a tool for goods of Brussels Nomenclature Chapters 84-92 which have been produced by the exporter.

.....
(Signature of authorized
signatory)

DECISION OF THE COUNCIL No. 1 OF 1967

(Adopted at the 2nd Meeting on 19th January, 1967)

AMENDMENT OF ANNEX D TO THE CONVENTION

THE COUNCIL,

Having regard to the agreement reached in the Customs Co-operation Council acting under the Convention opened for signature in Brussels on 15th December 1950⁽⁵⁾ and set out in the Customs Co-operation Council document 13.000 E, Annex IJ/30 of its Nomenclature Committee,

Having regard to paragraph 1 of Article 21 of the Convention,

DECIDES:

1. The English and French texts of Annex D to the Convention shall be amended as set out in the Annex to this Decision.
2. This Decision shall take effect on 1st April 1967.
3. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

Amendment of Annex D to the Convention

1. English text. Against heading number "ex 21.07" add to the Description of goods the following:
"; yoghurt, with added flavouring or fruit".
2. French text. Ajouter à la description des marchandises de la position "ex 21.07" ce qui suit:
"; yoghourts, additionnés de substances aromatisantes ou de fruits".

⁽⁵⁾ "Treaty Series No. 29 (1960)", Cmnd. 1070.