

**Unofficial translation**



**Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity**

Ministry of Industry and Commerce

No. 0725/ MOIC.DIMEX

Vientiane Capital, date 06 August 2020

**Decision**

**On Self Certificate of Origin through the REX as an exporter under Trade Preference**

- Pursuant to the Decree on the Organization and Implementations of the Ministry of Industry and Commerce, No. 230 / PM, dated 24 July 2017;
- Pursuant to the Prime Minister's Decree on Rules of Origin for the import and export of goods, Ref. No. 228/PM, dated 22 April 2010.
- Pursuant to the letter from Department of Import and Export, No. 1848/DIMEX. CO, dated 09 June 2020.

**The Minister of Industry and Commerce hereby issued a Decision:**

**Section I  
General Provision**

**Article 1 Objective**

This Decision sets out principles, regulations and measures related to implement the on Self Certificate of Origin through the REX as an exporter under Trade Preference to facilitate exporters with trade privileges, aiming to ensure that the implementation of such work is correct in accordance with the laws and regulations of the Lao PDR and international.

**Article 2 Certification of origin of goods through the REX as an exporter under trade preference**

Self-certification of origin through the REX as an exporter under trade preference is the exporter of self-certification of origin in accordance with the rules of origin of the countries that grant trade preference.

### **Article 3 Definitions**

Specific terms in this Decision have certain definitions as following:

1. **Self-certification of origin** means exporters can use the Statement on Origin for each export in accordance with the regulations of origin of the countries that grant trade preferences;
2. **Certificate of Certified Exporter** means a certificate of eligibility as an exporter with the conditions for self-certification of origin issued by the Office of Management of the implementation of self-certification of origin through the REX as an exporter under trade preferences;
3. The Registered Exporter System (REX) means exporters who have registered with the Office of Self-Certification certification operations through the registration of exporters under Trade Preferences to apply for self-certification of origin through the website [https://ec.europa.eu/taxation\\_customs/registered-exporter\\_system\\_en](https://ec.europa.eu/taxation_customs/registered-exporter_system_en);
4. Statement on Origin means self-certification documents of origin under the trade Preferences which can be obtained from invoices and packing lists by specifying the details of the exporters' self-certification of origin under the customs authorities of the destination countries to apply for the right to reduce or waive the import tariff under the trade preferences system.

### **Article 4 Scope of Application**

This Decision applies to the self-certification of origin through the export REX under the trade privileges of countries that use the REX certification of origin.

## **Section II**

### **Self-Certification of Origin through the REX**

#### **Article 5 Procedures for Certification of Origin**

Self-certification of origin through the REX as an exporter under the trade preferences of countries has the steps as following:

1. Pre-Application through EU website;
2. Claim the right to self-certification the origin of goods;
3. Register on the REX system.

#### **Article 6. Requirements of the applicant for self-certification of origin**

Those who can apply for the right to self-certification of the origin of goods must meet the requirements as following:

1. Be an exporter of goods in accordance with laws and regulations;
2. Pre-application through EU website.

3. Registered in the REX system

### **Article 7. Documents for applying for the right to be an exporter who has the self-certification of the origin of goods**

Exporters wishing to apply for self-certification of origin must submit the documents to the Department of Import and Export, Ministry of Industry and Commerce as following:

1. Application Form as prescribed by the Department of Import and Export;
2. Pre-Application can be found as [https://ec.europa.eu/taxation\\_customs/registered-exportersystem\\_en](https://ec.europa.eu/taxation_customs/registered-exportersystem_en);
3. Confirmation of Product Eligibility: CPE

### **Article 8 Consideration of issuing certificates to exporters who have the right to self-certification the origin of goods**

After receiving the complete and correct documents as specified in Article 7 of the decision, The Department of Import and Export, Ministry of Industry and Commerce, inspects the documents

and issues exporters who have the right to self-certification the origin of the goods through the REX as exporters under trade preferences to the applicant within 02 working days from the date of receipt documents.

If it is found that the supporting documents are incomplete and inaccurate, the applicant shall be notified within two working days from the date of receipt of the documents so that the applicant can correct and complete them.

In case of failure to issue the certificate, the exporter who has the right to self-certification the origin of the goods must notify the applicant in formal writing within two working days from the date of receipt of the documents.

### **Article 9. Registration in the REX system**

After issuing the certificate of exporters who have the right to self-certification the origin of goods through the REX as an exporter under the trade preferences of the Department of Import and Export, the Ministry of Industry and Commerce must enter the information of exporters who have the right to self-certification the origin of goods in the REX system and notice to exporters who have the right to self-certification the origin of goods after completed registration.

### **Article 10. Procedure for self-certification of goods through the REX as an exporter under trade preferences**

In each export, the exporter who has obtained the right to self-certification the origin of goods through the REX as an exporter under the trade preferences must have a declaration of origin of the goods in order to request exemption or reduction of the import duty at the destination country which the certificate of Origin is used instead of the Printed Certificate of Origin (Form A).

### **Section III**

#### **Rights and Obligations of Exporters**

##### **Article 11 The right of exporters to obtain the right to self-certification the origin of goods through the REX as an exporter under trade preferences**

Exporters who have the right to self-certification the origin of goods through the REX as exporters under trade preferences have the rights as following:

1. Self-certification of origin to countries with preferential trade using REX certification of origin;
2. Gain the rights as stipulated in the laws and regulations of the Lao PDR.

##### **Article 12 Obligations of exporters who have been granted the right to self-certification the origin of goods through the REX as an exporter under trade privileges**

Exporters who have the right to self-certification origin of goods through the REX as exporters under trade privileges have the obligations as following:

1. Strictly comply with the requirements of those who can self-certification the origin of goods as stipulated in this decision;
2. Keep documents related to the production and certification of origin for at least three years from the year of issuance of the self-certification as reference when inspecting or re-inquiring in case of re-examination of the origin of the product in question, the process and procedure of production of the product must be cooperated in explaining and clarifying to the relevant authorities, both domestic and foreign, as a basis for considering and resolving the problem;
3. Report export statistics under self-certification of origin to the Office of the Management of the Self-Certification of Origin through the registration of exporters under Trade preferences on a regular basis monthly and annually no later than the 10 day of the next month. In case of amendment or cancellation of the Statement on Origin that has been notified to the customs authorities, the import duty shall be summarized and reported on the Statement on Origin which has been amended or cancelled;
4. Implement other obligations as stipulated in the laws and regulations.

## **Section**

### **IV**

#### **Prohibiti**

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#### **Article 13 Prohibited for exporters who have the right to self-certification the origin of goods through the REX as an exporter under trade preferences**

Prohibited for exporters who have the right to self-certification the origin of goods through the REX as an exporter under trade are prohibited against:

1. Inform the incorrect information;
2. Falsify the documents or use false documents;
3. Stealing goods that do not meet the conditions of origin to obtain the right to self-certification the origin of goods through the REX as an exporter under trade preferences;
4. Perform other actions that violate the laws and regulations.

#### **Article 14 Prohibitions for employees of the Office of Management of the implementation of self-certification of origin through the REX as an exporter under trade preferences**

The following actions of the officers in the competent authority of Self-Certification of Origin are considered as prohibited:

1. Intentionally delay the document process;
2. Misuse of official position for personal, alliance and relative benefits;
3. Conspire with exporters who apply for the Self-Certification of Origin to falsify the documents;
4. Perform other actions that violate laws and regulations.

## **Section V**

### **Implementation of self-certification of origin**

#### **Article 15. Implementation of self-certification of origin**

The Office for the Management of Self-Certification of Origin through the REX as an exporter under the trade preference is assigned to the Department of Import and Export, Ministry of Industry and Commerce to manage the certification of origin by itself centrally and uniformly within the country as the authority in the implementation and coordination with the relevant parties to manage such work.

#### **Article 16. Rights and Duties of the Department of Import and Export**

Implementation of self-certification of origin: Department of Imports and Exports has

the rights and obligations as following:

1. Research, formulate policies, legislations and regulations on the work of self-certification of origin under trade preferences for consideration by higher authorities;
2. Promote, disseminate and guide the implementation of this decision and other relevant regulations to the society;
3. Conduct training for relevant staff on self-certification of origin through the REX system;
4. Select qualified exporters and introduce registration to self-certification of origin;
5. Carry out registration for exporters in the REX system;
6. To consider the delegation of authority, to monitor the use of the REX system, to warn, suspend or revoke the exporters who have been authorized to self-certification the origin of goods;
7. Monitor and inspect the production process at the company / factory for goods exported under self-certification of origin without prior notice;
8. Provide information, edit, cancel registration as an exporter in the REX system;
9. Summarize and report periodically on the self-certification of origin to the management of the Ministries and Commissions of the European Union periodically

## **Section VI**

### **Final**

### **Provision**

#### **Article 16 Implementation**

Department of Import and Export is assigned to lead the implementation of this Decision efficiently in collaboration with relevant authorities.

#### **Article 17 Effectiveness**

This Decision is effective from the date of signature and 15 days from the date of publication on Official Gazette.

This Decision replaces Decision on the Implementation of Pilot Project of Registered Exporters System of EU No. 0087/MOIC.DIMEX, dated 19 January 2017

Minister of Industry and Commerce

(Signature and Seal)

Mrs. Khemmani Pholsena