



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

Ministry of Industry and Commerce

No. 0087/ MOIC.DIMEX  
Vientiane Capital, date 19 January 2017

**Decision**  
**On the Implementation of Self-Certification of Origin under the Pilot Project**  
**of European Union**

- Pursuant to the Decree on Organization and Operation of Ministry of Industry and Commerce No. 522/PM, dated 23 December 2011;
- Pursuant to the Commission Implementing Regulation (EU), 2015/428 of 10 March 2015 and 2015/2447 of 24 November 2015.
- Pursuant to the letter from Department of Import and Export, No. 0065/DIMEX. CO, dated 06 January 2017.

**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 Self-Certification of Origin under the Pilot Project of European Union (EU), Switzerland, and Norway in order to facilitate the exporters under the preferential scheme; ensuring such an implementation is correct, compliance with Lao and international laws and regulations.

**Article 2 Implementation of the Self-Certification of Origin under the Pilot Project of European Union**

Implementation of the Self-Certification of Origin under the Pilot Project of European Union (EU), refers to the system that exporters are allowed to certify the origin of goods by themselves in accordance with the conditions of the pilot project set out by EU, Switzerland and Norway which apply to Lao PDR under the Generalised System of Preference (GSP).

### **Article 3 Definitions**

Specific terms in this Decision have certain definitions as following:

1. Self-Certification of Origin refers to the exporters are entitled to make out the Statements of Origin by themselves for each exportation under the EU pilot project;
2. Certificate of Certified Exporter refers to the certificate that authorized exporters who meet the conditions of self-certification of origin, which is issued by the competent authority of Self-Certification of Origin under the EU pilot project;
3. Registered Exporter System (REX) refers to the exporters that register with the competent authority of Self-Certification of Origin of the EU to apply for the authorization for the self-certification.
4. Statement on Origin refers to the declaration of goods origin to the custom authority in the EU member states, Switzerland and Norway to utilize benefits from exemption or reduction in accordance with GSP scheme.

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

This Decision applies to the economic operators who export goods to EU, Switzerland and Norway and GSP beneficiary countries such as: (Brunei, Cambodia, Indonesia, Lao PDR, the Philippines, Malaysia, Singapore, Myanmar, Thailand and Vietnam) for the purpose of regional cumulation of origin according to the implementing regulations of EU, Switzerland and Norway.

## **Section II Self-Certification of Origin**

### **Article 5 Conditions for Applicants to Issue Self-Certification of Origin**

Exporters who are entitled to self-certification of origin must have the following conditions:

1. Being import and export business operators that comply with laws and regulations of Lao PDR;
2. Being operators who obtain Self-Certification of Origin authorizations under the EU pilot project;
3. Registered in the REX system;

### **Article 6 Issuance of Self-Certification of Origin for Authorized Exporters**

Economic operators who wish to become a registered exporters under the EU self-certification pilot project must follow the following procedures:

1. Undergo the certified exporter selection process which is stipulated in the Instruction on Preferential Rules of Origin, No. 2225 /MOIC.DIMEX, dated 5 December 2014;
2. Complete the application form specified by the Competent authority of the Self-Certification of Origin under the EU pilot project with the attachment of supporting documents including: Certificate of Origin and the letter to inform the annual export capacity, then submit all documents to the competent authority of Self-Certification of Origin under the EU pilot project;

3. Upon the submission of the form with correct and complete supporting documents, the competent authority of Self-Certification of Origin must consider issuing the Certificate of Certified Exporter within 3 working days.

### **Article 7 Registration for Self-Certification of Origin in the REX system**

Upon the completion of the Certificate of Certified Exporter, exporters must submit the pre-application to the competent authority of Self-Certification of Origin to register in the REX system. After the registration in the REX system is completed, exporters are able to conduct the Self-Certification of Origin.

### **Article 8 Self-Certification of Origin Procedures**

Self-Certification of Origin procedures is that exporters declare details of the Statement on Origin by themselves for the destination countries of importing goods for each shipment, which the State of Origin is replaced the Certificate of Origin (Form A) to request the deduction or exemption of import tax to the EU, Switzerland and Norway.

## **Section III Rights and Obligations of Exporters**

### **Article 9 Scope of Rights of the Authorized Exporters under Self-Certification of Origin**

Scope of Rights of the Authorized Exporters under Self-Certification of Origin consist of:

1. Ability for self-certification of origin under the EU pilot project;
2. Other rights stipulated in relevant laws and regulations of Lao PDR.

### **Article 10 Obligations of the Authorized Exporters under Self-Certification of Origin**

The Authorized Exporters under Self-Certification of Origin have the following obligations:

1. Strictly comply with the conditions of the exporters who are entitled to Self-Certification of Origin as stipulate in this Decision;
2. Store the full set of documents related to production and Certificate of Origin for at least 03 years from the beginning of Self-Certification of Origin as the references for audit or further inquiry, in case of suspects from the destination countries according to the Certificate of Origin regulations of the EU, Switzerland and Norway;
3. Cooperate and provide information to the competent authority of the Certificate of Origin to monitor the implementation. In case of the re-inspection of the origin, the exporters must cooperate in clarifying, explaining the issues raised by the domestic and foreign authorities regarding the procedures and steps of goods production as the reference for issue resolutions;
4. Submit monthly and annual reports of the export statistic under the Self-Certification of Origin scheme to the competent authority of Self-Certification of Origin;

5. Comply with other obligations in accordance with laws and regulations.

## **Section IV Prohibitions**

### **Article 11 Prohibitions for the Authorized Exporters under the Self-Certification of Origin**

Exporters under the self-certification of origin are prohibited against:

1. Falsify the documents or inform the incorrect information;
2. Request for the Self-Certification of Origin for the goods which are not certified;
3. Perform other actions that violate the laws and regulations.

### **Article 12 Prohibitions for the Officers in the Competent Authority of Self-Certification of Origin.**

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

## **Section V**

### **The Competent authority of Self-Certification of Origin under the EU Pilot Project**

#### **Article 13 Competent authority**

The Department of Import and Export, Ministry of Industry and Commerce is assigned to take a role as the competent authority of Self-Certification of Origin under the EU pilot project, and to lead the management of this task in collaboration with relevant authorities.

#### **Article 14 Rights and Duties of the competent authority**

The competent authority of Self-Certification of Origin under the EU pilot project has following rights and duties:

1. Select the exporters who meet the conditions and provide the instruction regarding the registration for the Self-Certification of Origin;
2. Study, monitor the application of the system by the exporters and consider the approval, suspension or revocation of the Certificate of Certified Exporter;
3. Facilitate the registration for the exporters to become REX registered exporters;
4. Provide information, modify, cancel the registration in the REX system;
5. Monitor and examine the REX application;
6. Monitor and review the production process in companies/factories of the exporting products under EU Certificate of Origin scheme without required advance notice.
7. Organize trainings related to Self-Certification of Origin in the REX system to the officers;

8. Summarize and report the implementation of Self-Certification of Origin to the Minister and European Commission periodically.

## **Section VI**

### **Awards and Sanctions**

#### **Article 15 Awards for Good Performance**

Individuals, juridical persons and organizations with outstanding performance in implementing this Decision will receive compliments, awards or other appropriate rewards according to policy.

#### **Article 16 Sanctions for Violation**

Individuals, juridical persons and organization that violate this Decision shall receive measures of warning, education, punishment, and fine, payment for civil damages or criminal punishment depending on seriousness of the violation. Additional punishments include the revocation of the registered exporter from the REX system, suspend or terminate the business operations for those who commit fraud.

## **Section VII**

### **Final Provision**

#### **Article 17 Implementation**

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

#### **Article 18 Effectiveness**

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

Minister of Industry and Commerce

(Signature and Seal)

Mrs. Khemmani Pholsena