



Lao People Democratic Republic  
Peace Independence Democracy Unity Prosperity

Ministry of Industry and Commerce

No. 0118/MOIC.DIMEX  
Vientiane, Capital, 31 January 2020

**Instruction**  
**On Certification of Origin of Goods under Preferential Scheme**

- Pursuant to the Decree on the Establishment and Activities of the Ministry of Commerce and Industry, No. 230/PM, dated 24 July 2017;
- Pursuant to the Decree on the Management of Imported and Exported Goods, No. 228/PM, dated 22 April 2010;
- Based on Proposal Letter of the Department of Import and Export, No.6100/MOIC.DIMEX, dated 18 December 2019,

In order to develop the contents of Section 2 of the Decree on the Imported and Exported Goods, No. 228/PM, dated 22 April 2010 and to determine such contents to be suitable to the actual economic conditions, be in accordance with the relevant laws and regulations and the international treaties to which Lao PDR is a party and to ensure the certification of goods under the preferential scheme be unanimously and effectively implemented.

**The Minister of Industry and Commerce issues the instruction:**

I. Certification of origin of goods under the preferential scheme

The certification of goods under the preferential scheme certifies that such goods which originated or passed through production processing in Lao PDR with the purpose of application for preferential rights in accordance with the requirements as provided for in the Regulation on Goods under the Preferential Scheme of the countries granting such rights. If the importing country does not require certification of the origin of such goods, the companies/manufactories, importers or exporters shall not be required to obtain certification of such goods.

The applicants for the certification of origin of goods under the preferential scheme means the companies/manufacturers, importers, exporters or assigned representatives.

The certification of origin of goods under the preferential scheme is comprised of two procedures, i.e. confirmation of product eligibility and certification of origin under the preferential scheme of which the details are as follows:

1. Confirmation of product eligibility (CPE)

- 1.1 A certificate of confirmation of product eligibility confirms that goods originated or passed through production processing in Lao

PDR and satisfy the conditions of the Regulations of Origin of Goods under the Preferential Scheme.

The issuance of CPE is to be used as reference for applications for certificates of origin under the preferential scheme, and such certificates shall be issued to all goods to be exported with certificates of origin under the preferential scheme whether or not such goods originated in or were produced in the Lao PDR.

1.2 Applicants for certificates of origin under the preferential scheme may request for confirmation of product eligibility with the office responsible for certificates of origin under the preferential scheme throughout the country using forms issued by the Department of Import and Export. The supporting documents for the confirmation of product eligibility are as follows:

- 1) Application letter in the form as determined by the Department of Import and Export;
- 2) Import quotation;
- 3) Letter approving product specification, production process, capital, price of goods and production process drawings in the form as determined by the Department of Import and Export;
- 4) Documents certifying the acquisition or importation of the raw materials;
- 5) Declaration certificate stating the level of annual exportation;
- 6) Certificate of the company's signature in the form as determined by the Department of Import and Export;
- 7) Copy of enterprise registration certificate and/or certificate of relevant operating/business license;
- 8) Copy of tax payment certificate.

1.3 No later than three business days after confirming receipt of the above supporting documents, the officers responsible for certificates of origin under the preferential scheme shall conduct a site visit of the manufacturer's premises and goods storage, to ensure the accuracy and conformity with the Regulations on Origin of Goods under the Preferential Scheme.

The collection of the information from the manufacturer shall be made in the form as determined by the Department of Import and Export;

1.4 The time period for confirmation of product eligibility is three business days from the date of receiving complete and accurate supporting documents and after the visit to the premises of the company/manufacturer.

1.5 The certificate of confirmation of product eligibility is issued for each item as per the custom code of six figures in accordance with the tariff classification and custom valuation of the Lao PDR based on ASEAN Harmonization System. If there is a change in the origin of goods or new items of goods to be exported, the

applicants for certificates of origin under the preferential scheme shall re-apply for the confirmation of product eligibility in compliance with Clause 1.2, 1.3 and 1.4 of I of this Instruction.

1.6 A certificate of confirmation of product eligibility is valid for one year. Applicants for certificates of origin under the preferential scheme shall apply for an extension of confirmation of product eligibility one month before the expiration of the certificate in compliance with Clause 1.2, 1.3 and 1.4 of I of this Instruction.

2. Application for the certificate of origin under the preferential scheme

The issuance of the certificate of origin under the preferential scheme (CO) can be completed via three channels i.e., manual CO issuance, electronic CO issuance (e-CO) and self-certification.

The e-CO and self-certification is established in the specific regulations.

(CO) 2.1 Issuance of manual certificate of origin under the preferential scheme

Applicants for manual CO's shall submit their application with the following completed supporting documents:

- 1) Application letter in the form as determined by the Department of Import and Export;
- 2) Copy of certificate of confirmation of product eligibility or acquisition of goods;
- 3) CO which is filled in with complete and accurate information;
- 4) Export quotation and packaging list;
- 5) Custom declaration certificate in details;
- 6) Copy of goods manifest.

The copies of the supporting documents shall be signed and stamped by the applicant for manual CO.

The timeframe for the issuance of the CO is two business days from the date of receiving the complete and accurate documents.

In case of air or direct transportation, the applicant for CO may send the custom declaration certificate details and goods manifest to the office responsible for the certificates of origin under the preferential scheme within five business days from the date of issuance of CO certificate.

The fees for issuance of the CO shall be in accordance with the Presidential Ordinance on the Fees and Service Charges as promulgated from time to time.

2.2 Issuance of manual certificate of origin under the preferential scheme in case of loss or destruction of the certificates

In case of loss or destruction of CO, the applicant may bring a copy of the CO to the office responsible for certificates of origin under the preferential scheme requesting them to recertify the same or to reissue a new certificate as follows:

- a. If bringing a copy of the CO to the office responsible for certificates of origin under the preferential scheme for recertification, the following documents shall be required:

- 1) Application in the form as determined by the Department of Import and Export;
- 2) A copy of the CO;
- 3) Certificate of loss or destruction from the applicant for recertification of the CO;

The timeframe for the issuance of a recertified CO is within one business day from the date of receiving the complete and accurate documents.

b. If the applicant seeks reissuance of the CO, the following documents shall be required:

- 1) Application in the form as determined by the Department of Import and Export;
- 2) CO with complete information;
- 3) A copy of CO. In case of loss or destruction of the CO, a certification of the same from the company/manufacturer shall be required;
- 4) Certificate of loss or destruction from the applicant for reissuance of the CO;

The timeframe for the issuance of the CO is within two business days from the date of receiving the complete and accurate documents.

The fees for issuance of the CO shall be in accordance with the Presidential Ordinance on the Fees and Service Charges as promulgated from time to time.

### 2.3 Amendments to CO

An amendment of a CO may be due to the errors of the officers responsible for the certificates of origin under the preferential scheme or the CO applicant. The amendment shall comply with the following procedures:

- a) In case of amendment to the CO due to the error of the officers responsible for the certificates of origin under the preferential scheme, such officers shall sign, stamp and certify the points where the errors occurred, free of charge;
- b) In case of amendment to the information contained in the CO due to the error of the CO applicant, the applicant shall request the office responsible for certificates of origin under the preferential scheme to reissue the new CO by submitting the following documents:
  - 1) Application in the form as determined by the Department of Import and Export;
  - 2) CO with complete information;
  - 3) Original and copy of CO;
  - 4) Other documents related to the amendment of CO as the case may be.

The payment of fees shall be the same as in the case of the issuance of CO.

### 2.4 Purchase of CO form

CO applicants may purchase a maximum of 50 forms each time. Before requesting further form purchase, applicants shall include with the application a summary of the forms previously purchased, including used and unused forms.

Payment of fees shall be in accordance with the Presidential Ordinance of Fees and Service charges as promulgated from time to time.

2.5 Filing in CO form

When filling in the CO form, the applicant shall comply with the following:

- 1) Information provided on the CO form shall correspond to the information contained in the supporting documents and shall not beyond the limits of the relevant blocks/boxes;
- 2) English language shall be used, written in capital letters;
- 3) The completed CO application shall be unmarked and legible, without any marks, deletion or additions;
- 4) The CO application shall be completed line by line without any blank spaces left. Any blank spaces shall be crossed out so that additional information cannot be added.

2.6 Number of the CO

The number of the CO allocated by the office responsible for certificates of origin under the preferential scheme shall be eight numbers starting with the two last numbers of the current year followed by the two number code of the office responsible for certification of goods under the preferential scheme and the order number of 4 numbers. Some types of CO require the country code or acronym which shall be added before the 8 numbers in question. The number of the CO may be affixed by printing machine or stamps.

II. The offices responsible for certification of goods under the preferential scheme

The offices responsible for certification of goods under the preferential scheme comprise of:

- 1 Department of Import and Export, Ministry of Industry and Commerce;
- 2 Departments of Industry and Commerce of Vientiane Capital, provinces and special economic zones, the Lao National Chamber of Commerce and Industry, provincial chambers of commerce and industry and other sectors assigned to certify the origin of goods.

The sectors issuing the CO shall be trained and have obtained certificates from the Department of Import and Export, Ministry of Industry and Commerce.

III. Rights and duties of the offices responsible for certification of goods under the preferential scheme and CO

1 Rights and duties of the offices responsible for certification of goods under the preferential scheme

1.1 The Department of Import and Export, Ministry of Industry and Commerce is the responsible authority reporting to the Ministry of Industry and Commerce for the management of certification of the origin of goods. In addition to the rights and duties as provided for in Article 18 of the Decree on Origin of the Imported and Exported Goods, No. 228/PM, dated 22 April 2010, the Department of Import and Export has the specific rights and duties as follows:

- 1) To research and propose that the minister assign the sector which has satisfied the conditions and received training from the

Department of Import and Export, Ministry of Industry and Commerce to be the office for certification of the origin of goods under the preferential scheme throughout the country;

- 2) To research and consider issuing the CPE to all companies/manufacturers and goods under the preferential scheme;
- 3) To direct, encourage, monitor and inspect the activities of the certification of the origin of goods under the preferential scheme throughout the country on regular and annual basis;
- 4) To be the focal coordination point for all offices responsible for certification of the origin of goods under the preferential scheme and other sectors within and outside the country with respect to activities relating to the certification of origin of goods;
- 5) To liaise and cooperate with foreign countries, including negotiation relating to the certification of the origin of goods;
- 6) To certify the origin of goods under the preferential scheme as assigned by the Ministry of Industry and Commerce and in accordance with this Instruction and other relevant laws and regulations;
- 7) To collect fees and service charges in accordance with the Presidential Ordinance promulgated from time to time;
- 8) To order the printing of CO forms and send them to all offices responsible for certification of origin of goods under the preferential scheme throughout the country on request;
- 9) To collate copies of seals of offices responsible for certification of the origin of goods under the preferential scheme throughout the country and send the same to the of the officers of the relevant country on an annual basis;
- 10) To collate details and information of companies requesting the issuance of CO throughout the country on an annual basis;
- 11) To keep at least three years records of documents of certification of the origin of goods under the preferential scheme;
- 12) To exercise and perform other rights and duties as provided for in the relevant laws and regulations and as assigned by the higher authorities.

1.2 The Departments of Industry and Commerce of Vientiane Capital, provinces and special economic zones, the Lao National Chamber of Commerce and Industry, provincial chambers of commerce and industry and other sectors assigned to certify the origin of goods have the following rights and duties:

- 1) To certify the origin of goods under the preferential scheme as assigned by the Ministry of Industry and Commerce and in accordance with this Instruction and other relevant laws and regulations;
- 2) To research and consider issuing CPE to all companies/manufacturers and goods under the preferential scheme;
- 3) To delegate the Department of Import and Export, Ministry of Industry and Commerce to arrange printing of CO forms and be responsible for all costs related to printing orders and be required

to attach a summary of CO's which are printed in error and unused;

- 4) To collate copies of the seals of offices and send the same to the Department of Import and Export by the first day of October of every year;
- 5) To collect fees and service charges in accordance with the Presidential Ordinance as promulgated from time to time;
- 6) To collate and analyse information relating to exportation using CO's for reporting to the higher levels and public dissemination on regular basis;
- 7) To collate details and information of companies requesting the issuance of CO to be sent to the Department of Import and Export no later than 31 December of every year;
- 8) To keep at least three years of records of documents certifying the origin of goods under the preferential scheme;
- 9) To cooperate and provide the Department of Import and Export on request with information relating to certification of origin of goods;
- 10) To assess the implementation of activities relating to the issuance of CO, CPE certificates, collection of annual statistics and detailed information of companies and provide it to the Department of Import and Export before the tenth day of January of the following year by regular means;
- 11) To propose the Department of Import and Export to organise training and dissemination on the origin of goods as appropriate;
- 12) To exercise and perform other rights and duties as assigned by the Department of Import and Export and Ministry of Industry and Commerce.

## 2 Rights of applicants for CO

Applicants for CO have the following rights and duties:

- 1) To request the certification of the origin of goods under the preferential scheme with the offices responsible for certification of goods under the preferential scheme where the applicants are carrying out their production/purchase or are convenient;
- 2) To request CPE with offices responsible for certification of goods under the preferential scheme;
- 3) To propose or take legal action against the officers responsible for certification of goods under the preferential scheme relating to their duty or performance when it is determined that the officer's actions have contravened the relevant laws and regulations;
- 4) To provide accurate and true documents when applying for certification of goods under the preferential scheme;
- 5) To cooperate and provide documents or information relating to the certification of goods under the preferential scheme to the officers responsible for certification of goods under the preferential scheme upon request or as necessary;
- 6) To keep at least three years of records of CO and CO-related documents;

- 7) To report on the implementation and inspection of documents conducted by officers of destination countries, in particular in instances where applicant's exportation is detrimentally effected;
- 8) To study and research regulations on the origin of goods and other related regulations.

IV. Measures against violators

- 1 Measures against officers responsible for certification of goods under the preferential scheme

The officers responsible for certification of goods under the preferential scheme engaging in prohibited actions, including exceeding the time limit as specified in this Instruction with no sufficient reason, demanding any benefits from CO applicants, certifying of goods under the preferential scheme not in accordance the relevant rules and regulations or association with the CO applicants to falsify documents and other actions shall be subjected to imposition of disciplinary measures, such as warning, education, discipline, transfer of position, removal or dismissal depending on the severity of the case. If such violation is a criminal offence, the violators shall be subject to legal action in accordance with criminal laws.

- 2 Measures against CO applicants

CO applicants engaging in prohibited actions, such as, falsification of documents relating to the certification of goods under the preferential scheme, falsification of CPE, giving false information, smuggling and taking goods which have no CPE to request for CO and other actions shall be subject to the imposition of measures, such as warning, education, cancellation of CPE certificates or CO, withdrawal of the right of CO or temporary suspension of business operation license.

V. Implementation

Assign the Department of Import and Export to collaborate with the relevant sectors and direct all offices responsible for certification of goods under the preferential scheme to implement this Instruction in accordance with the relevant laws and regulations.

VI. Effectiveness

This Instruction is effective from the signing date and fifteen days following the date of publication in the Official Gazette.

Minister of Industry and Commerce  
[Signature & Seal]

Mrs. Khemmany Pholsena