

**MALAYSIA – CHILE
FREE TRADE AGREEMENT**

MALAYSIA-CHILE FREE TRADE AGREEMENT

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PREAMBLE

Malaysia and The Republic of Chile, hereinafter referred to as “the Parties”:

Inspired by their longstanding friendship and cooperation and growing trade relationship;

Desiring to enlarge the framework of relations between them through further liberalising trade;

Recognising that the strengthening of their economic partnership will bring economic and social benefits, create new opportunities for employment and improve the living standards of their people;

Building on their respective rights and obligations under the World Trade Organization (WTO);

Recalling the Asia-Pacific Economic Cooperation (APEC) goals;

Confirming their shared commitment to trade-facilitation through removing non-tariff barriers to trade between them;

Desiring to strengthen the cooperative framework for the conduct of economic relations to ensure it is dynamic and encourages broader and deeper economic cooperation;

Aware that economic development, social development and environmental protection are components of sustainable development and that free trade agreements can play an important role in promoting sustainable development; and

Resolved to promote bilateral trade through the establishment of clear and mutually advantageous trade rules and the avoidance of trade barriers,

Have agreed as follows:

CHAPTER 1

INITIAL PROVISIONS

Article 1.1: Establishment of a Free Trade Area

The Parties, consistent with Article XXIV of the *General Agreement on Tariffs and Trade 1994* (GATT 1994) hereby establish a free trade area.

Article 1.2: Relation to Other Agreements

1. The Parties affirm their existing rights and obligations with respect to each other under the *Marrakesh Agreement Establishing the World Trade Organisation* (WTO Agreement) and other agreements to which both Parties are party.
2. In the event of any inconsistency between this Agreement and any agreement other than the WTO Agreement, to which both Parties are party, the Parties shall immediately consult with each other with a view to finding a mutually satisfactory solution, taking into consideration general principles of international law.

CHAPTER 2
GENERAL DEFINITIONS

Article 2.I: Definitions of General Application

For the purposes of this Agreement, unless otherwise specified:

- (a) **Agreement on Customs Valuation** means the *Agreement on Implementation of Article VII of the General Agreement on Tariff and Trade 1994*, contained in Annex 1A to the WTO Agreement;
- (b) **Customs Authority** means the authority that, according to the legislation of each Party, is responsible for the administration and enforcement of its customs laws:
 - (i) in the case of Chile, the Chile Customs Service, and
 - (ii) in the case of Malaysia, the Royal Malaysian Customs;
- (c) **customs duties** means duties imposed in connection with the importation of a good provided that such customs duties shall not include:
 - (i) charges equivalent to internal taxes, including excise duties, sales tax, and goods and services taxes imposed in accordance with a Party's commitments under paragraph 2 of Article III of the GATT 1994;
 - (ii) anti-dumping or countervailing duty or safeguards duty applied in accordance with Chapter 8 (Trade Remedies); or
 - (iii) fees or other charges that are limited in amount to the approximate cost of services rendered, and do not represent a direct or indirect protection for domestic goods or a taxation of imports for fiscal purposes;
- (d) **days** means calendar days, including weekends and holidays;
- (e) **GATT 1994** means the *General Agreement on Tariffs and Trade 1994*, contained in Annex 1A of the WTO Agreement;
- (f) **Harmonised System (HS)** means the Harmonized Commodity Description and Coding System governed by *The International Convention on the Harmonized Commodity Description and Coding System*, including its General Rules of Interpretation, Section Notes, and Chapter Notes, and

their amendments, as adopted and implemented by the Parties in their respective tariff laws;

- (g) **heading** means the first four digits in the tariff classification number under the Harmonised System (HS);
- (h) **measure** means any measure by a Party, whether in the form of a law, regulation, rule, procedure, practice, decision, administrative action or any other form;
- (i) **originating goods** means the goods that qualify as originating goods in accordance with Chapter 4 (Rules of Origin);
- (j) **person** means both natural and legal persons;
- (k) **publish** includes publication in written form or on the internet;
- (l) **subheading** means the first six digits in the tariff classification number under the Harmonised System (HS);
- (m) **territory** means:
 - (i) with respect to Chile, the land, maritime, and air space under its sovereignty, and the exclusive economic zone and the continental shelf within which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law;
 - (ii) with respect to Malaysia,
 - (A) the territories of the Federation of Malaysia;
 - (B) the territorial waters of Malaysia and the seabed and subsoil of the territorial waters, and the air space above such areas over which Malaysia has sovereignty; and
 - (C) any area extending beyond the limits of the territorial waters of Malaysia, and the seabed and subsoil of any such area, which has been or may hereafter be designated under the laws of Malaysia and in accordance with international law as an area over which Malaysia has sovereign rights or jurisdiction for the purposes of exploring and exploiting the natural resources, whether living or non-living;
- (n) **TRIPS Agreement** means the *Agreement on Trade-Related Aspects of Intellectual Property Rights*, contained in Annex 1C of the WTO Agreement;

- (o) **WTO** means the World Trade Organization, and
- (p) **WTO Agreement** means the *Marrakesh Agreement Establishing the World Trade Organization*, done on April 15, 1994.

CHAPTER 3

TRADE IN GOODS

Article 3.1: Definitions

For the purposes of this Chapter:

- (a) **agricultural goods** means those goods referred to in Article 2 of the WTO Agreement on Agriculture;
- (b) **commercial samples of negligible value** means commercial samples having a value, individually or in the aggregate as shipped, or so marked, torn, perforated or otherwise treated that they are unsuitable for sale or for use except as commercial samples¹;
- (c) **consular transactions** means requirements that goods of a Party intended for export to the territory of the other Party must first be submitted to the supervision of the consul of the importing Party in the territory of the exporting Party for the purpose of obtaining consular invoices or consular visas for commercial invoices, certificates of origin, manifests, shippers' export declarations or any other customs documentation required on or in connection with importation;
- (d) **duty-free** means free of customs duty;
- (e) **goods of a Party** means domestic products as these are understood in the GATT 1994 or such goods as the Parties may agree, and includes originating goods of that Party. A good of a Party may include materials of other countries, complying with the provisions of Chapter 4 (Rules of Origin);
- (f) **printed advertising materials** means those goods classified in Chapter 49 of the Harmonised System (HS), including brochures, pamphlets, leaflets, trade catalogues, yearbooks published by trade associations, trade and tourist promotional materials and posters, that are used to promote, publicise or advertise a good or service, are essentially intended to advertise a good or service, and/or are supplied free of charge.

¹ For greater certainty, the term "Commercial Samples" include "Trade Samples". In the case of Malaysia, the term is used in the Customs Duties Order 2007 [P.U.(A) 441/2007].

Article 3.2: Scope and Coverage

Except as otherwise provided, this Chapter applies to trade in goods between the Parties.

Article 3.3: National Treatment

1. Each Party shall accord national treatment to the goods of the other Party in accordance with Article III of GATT 1994, including its interpretative notes, and to this end, Article III of GATT 1994 and its interpretative notes are incorporated into and made part of this Agreement, *mutatis mutandis*.
2. Paragraph 1 shall also apply to a regional level of government.

Article 3.4: Reduction and/or Elimination of Customs Duties

1. Customs duties which are levied at zero percent or nil on the date of signing of this Agreement shall be kept at zero percent or nil by the Parties.
2. Except as otherwise provided in this Agreement, neither Party may increase any existing customs duty or adopt any customs duty on a good of the other Party covered by this Agreement.
3. Except as otherwise provided in this Agreement, each Party shall progressively reduce and/or eliminate its customs duties on originating goods in accordance with its schedule in Annex 3.
4. If a Party reduces its applied most-favoured nation customs duties rate after the entry into force of this Agreement and before the end of the tariff reduction and/or elimination period, the tariff reduction and/or elimination schedule established in Annex 3 shall apply with respect to the new most-favoured nation customs duties rate.
5. On the request of either Party, the Parties shall consult to consider accelerating the reduction and/or elimination of customs duties set out in their schedules in Annex 3. An agreement between the Parties to accelerate the reduction and/or elimination of a customs duty on a good, shall supersede any duty rate determined pursuant to their schedules in Annex 3 for such good when approved by each Party in accordance with their applicable domestic legal procedures.

Article 3.5: Classification of Goods

For the purposes of this Agreement, the classification of goods in trade between the Parties shall be in conformity with the Harmonised System (HS).

Article 3.6: Customs Valuation

For the purposes of determining the customs value of goods traded between the Parties, Part I of the Agreement on Customs Valuation, as may be amended, shall be incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 3.7: Duty-Free Entry of Commercial Samples of Negligible Value and Printed Advertising Materials

Each Party shall grant duty-free entry to commercial samples of negligible value and to printed advertising materials imported from the territory of the other Party regardless of their origin, but may require that such samples or advertising materials be imported solely for the solicitation of orders for goods or services provided from the territory of the other Party or a non-Party.

Article 3.8: Administrative Fees and Formalities.

1. Each Party shall ensure, in accordance with Article VIII:1 of GATT 1994 and its interpretative notes, that all fees and charges of whatever character (other than customs duties, charges equivalent to an internal tax or other internal charge applied consistently with Article III:2 of GATT 1994, and anti-dumping and countervailing duties) imposed on or in connection with importation or exportation are limited in amount to the approximate cost of services rendered and do not represent an indirect protection to domestic goods or a taxation of imports or exports for fiscal purposes.
2. Neither Party may require consular transactions, including related fees and charges, in connection with the importation of any good of the other Party.
3. Each Party shall make available through the internet or a comparable computer-based telecommunications network, a current list of the fees and charges it imposes in connection with importation or exportation.

Article 3.9: Price Band System

Chile may maintain its price band system as established under its Law N° 18.525 or succeeding system for the products covered by that law², provided it is applied consistent with Chile's rights and obligations under the WTO Agreement.

² For greater certainty, Chile shall not incorporate new products in the Price Band System. The only products covered by the price band system are HS 1001.9000, 1101.0000, 1701.1100, 1701.1200, 1701.9100, 1701.9920 and 1701.9990.

Article 3.10: Agricultural Export Subsidies

The Parties share the objective of the multilateral elimination of export subsidies for agricultural goods and shall work together towards an agreement in the WTO to eliminate those subsidies and prevent their reintroduction in any form.

Article 3.11: Non-Tariff Measures

1. Except as otherwise provided in this Agreement, neither Party shall adopt or maintain any prohibition or restriction on the importation of any good of the other Party or on the exportation or sale for export of any good destined for the territory of the other Party, except in accordance with Article XI of GATT 1994 and its interpretative notes, and to this end, Article XI of GATT 1994 and its interpretative notes are incorporated into and made a part of this Agreement, *mutatis mutandis*.
2. Each Party shall ensure the transparency of its non-tariff measures permitted under paragraph 1 and that they are not constituted, adopted or applied with a view to or with the effect of creating unnecessary restrictions to trade between the Parties.
3. Paragraphs 1 and 2 shall not apply with respect to Chile, to measures concerning the importation of used vehicles, as provided in Law N° 18.483 or its successor.

Article 3.12: Committee on Trade in Goods

1. The Parties hereby establish a Committee on Trade in Goods, comprising of representatives of each Party.
2. For the purposes of the effective implementation and operation of this Chapter, the functions of the Committee on Trade in Goods shall be:
 - (a) reviewing and monitoring the implementation and operation of this Chapter;
 - (b) discussing any issues related to this Chapter;
 - (c) reporting the findings and the outcome of discussions to the Joint Committee;
 - (d) carrying out other functions as may be delegated by the Joint Committee in accordance with subparagraph 4(e) of Article 11.1;
 - (e) promoting trade in goods between the Parties, including through consultations on accelerating tariff elimination under this Agreement and other issues as appropriate; and

- (f) addressing barriers to trade in goods between the Parties, especially those related to the application of non-tariff measures, and, if appropriate, referring such matters to the Joint Committee for its consideration.

3. The Committee on Trade in Goods shall meet at such venue and time as may be agreed by the Parties.

Article 3.13: Wine and Spirits

1. Malaysia recognises, in accordance with its domestic legislation, the geographical indication CHILEAN PISCO, that falls within the scope of protection established in Article 22 of the TRIPS Agreement.

2. This shall in no way prejudice the rights that Malaysia may recognise, in addition to Chile, to the geographical indication PISCO, exclusively for Peru, that falls within the scope of protection established in Article 22 of the TRIPS Agreement³.

3. Chilean geographical indications for wines are established by Decree 464 of the Ministry of Agriculture of December 14, 1994, and its amendments, and by the Law 18.455.

³ For the purposes of paragraph 1 and 2, this Article does not affect the competence of the Court and legal authority established under the Malaysian Geographical Indication Act 2000.

ANNEX 3

REDUCTION AND/OR ELIMINATION OF CUSTOMS DUTIES

Section 1: Schedule of Chile

Customs Duties on Imports Originating in Malaysia

Introductory notes

- I. The tariff schedule in this Annex contains the following four columns:
- 1) **Code:** the code used in the nomenclature of the Harmonised System (HS) 2007.
 - 2) **Description:** description of the product falling under the heading.
 - 3) **Tariff:** the basic customs duty from which the tariff reduction and/or elimination programme starts.
 - 4) **Category:** the category under which the product concerned falls for the purposes of tariff reduction and/or elimination.
- II. The categories which are applicable to imports into Chile from Malaysia are the following:
- 1) **Year 0:** Customs duties shall be eliminated entirely and such goods shall be duty-free on the date this Agreement enters into force.

Category		Entry into force
Year 0	Margin of preference	100%

- 2) **Year 3:** Customs duties shall be removed in three stages beginning on the date this Agreement enters into force, and such goods shall be duty-free, effective January 1st of year Two.

Category		Entry into force	year one	year two
Year 3	Margin of preference	33.3%	66.6%	100%

- 3) **Year 5:** Customs duties shall be removed in five stages beginning on the date this Agreement enters into force, and such goods shall be duty-free, effective January 1st of year Four.

Category		Entry into force	year one	year two	year three	year four
Year 5	Margin of preference	20.0%	40.0%	60.0%	80.0%	100%

- 4) **“EXCL”** : These products are not subject to tariff reduction and/or elimination.

Section 2: Schedule of Malaysia

Customs Duties on Imports Originating in Chile

Introductory notes

I. The tariff schedule in this Annex contains the following five columns:

- 1) **Code:** the code used in the nomenclature of the Harmonised System (HS) 2007.
- 2) **Description:** description of the product falling under the heading.
- 3) **Tariff:** the basic customs duty from which the tariff reduction and/or elimination programme starts.
- 4) **Category:** the category under which the product concerned falls for the purposes of tariff reduction and/or elimination.

II. The categories which are applicable to imports into Malaysia from Chile are the following:

- 1) **NT1:** Customs duties shall be eliminated entirely and such goods shall be duty-free on the date this Agreement enters into force.

Category		Entry into force
NT1	Margin of preference	100%

- 2) **NT2:** Customs duties shall be removed in three stages from the date this Agreement enters into force, and such goods shall be duty-free, effective January 1st of year Two.

Category		Entry into force	year one	year two
NT2	Margin of preference	33.3%	66.6%	100%

- 3) **SL:** Customs duties shall be reduced in five stages from the date this Agreement enters into force, and such goods shall have a tariff of 5%, at January 1st of year Four.

Category		Entry into force	year one	year two	year three	year four
SL	Margin of preference	20%	40%	60%	80%	100% with tariff capped at 5%

- 4) **TQ:** The tariff headings in the following chart will receive a tariff preference of a 100% for the quantities shown below:

HS Code	Description	Unit	In-quota volume	In-quota tariff	Out-quota tariff
0207 11 000	Of fowls of the species gallus domesticus: Not cut in pieces, fresh or chilled	Metric tonnes	1,000	0	20
0207 12 000	Of fowls of the species gallus domesticus: Not cut in pieces, frozen	Metric tonnes	1,000	0	20
0207 13 000	Of fowls of the species gallus domesticus: cuts and offal, fresh or chilled	Metric tonnes	1,000	0	20
0207 14 000	Of fowls of the species gallus domesticus: cuts and offal, frozen	Metric tonnes	1,000	0	20

Poultry quota for products HS0207.11.000, HS0207.12.000, HS0207.13.000 and HS0207.14.000 shall be increased at a rate of 5% per annum.

- 5) **EL:** These products are not subject to tariff reduction and/or elimination.

CHAPTER 4

RULES OF ORIGIN

Article 4.1: Definitions

For the purposes of this Chapter:

- (a) **CIF** means the value of the good imported and includes the cost of insurance and freight up to the port or place of entry in the country of importation;
- (b) **Competent Authority** means bodies or private entities authorised by the Governmental Authority for issuance of the Certificate of Origin;
- (c) **FOB** means the free-on-board value of the good, inclusive of the cost of transport to the port or site of final shipment abroad;
- (d) **fungible goods or materials** mean goods or materials that are interchangeable for commercial purposes and whose properties are essentially identical;
- (e) **goods** means any materials and products which can be wholly obtained or produced, or manufactured, even if they are intended for later use in another manufacturing operation;
- (f) **Governmental Authority** means the authority of each respective Party responsible for the certification of origin. In the case of Chile, such authority is the General Directorate of International Economic Affairs, Ministry of Foreign Affairs; and in the case of Malaysia, the Ministry of International Trade and Industry;
- (g) **indirect materials** means a good used in the production, testing or inspection of another good but not physically incorporated into the good, or a good used in the maintenance of buildings or the operation of equipment associated with the production of a good, including:
 - (i) fuel, energy, catalysts and solvents;
 - (ii) equipment, devices and supplies used for testing or inspection of the goods;
 - (iii) gloves, glasses, footwear, clothing, safety equipment and supplies;
 - (iv) tools, dies and moulds;

- (v) spare parts and materials used in the maintenance of equipment and buildings;
 - (vi) lubricants, greases, compounding materials and other materials used in production or used to operate equipment and buildings; and
 - (vii) any other materials which are not incorporated into the good but whose use in the production of the good can reasonably be demonstrated to be a part of that production.
- (h) **material** means a good or any matter or substance such as raw materials, ingredients, parts, components, sub-components or sub-assemblies that are used or consumed in the production of goods or transformation of another good;
- (i) **packing materials and containers for shipment** means goods used to protect a good during its transportation, other than containers and packaging materials used for retail sale;
- (j) **preferential treatment** means the rate of customs duties applicable to an originating good of the exporting Party; and
- (k) **production** means methods of obtaining goods including, but not limited to growing, raising, mining, harvesting, fishing, farming, trapping, hunting, capturing, aquaculture, gathering, collecting, breeding, extracting, manufacturing, processing or assembling a good.

Article 4.2: Origin Criteria

Except as otherwise provided in this Chapter, a good shall be considered as originating in a Party when:

- (a) the good is wholly obtained or produced entirely in the territory of a Party as defined in Article 4.3;
- (b) the good is produced in the territory of a Party, using non-originating materials that conform to a qualifying value content or a change in tariff heading as defined in Articles 4.4 and 4.5 respectively; or
- (c) the good satisfies the product specific rules as specified in Annex 4-B (Product Specific Rules).

Article 4.3: Wholly Obtained or Produced Goods

The following goods shall be considered as wholly obtained or produced entirely in the territory of a Party:

- (a) plants, plant goods and vegetable goods harvested, picked or gathered in the territory of the Party;
- (b) live animals born and raised in the territory of the Party;
- (c) goods obtained from live animals referred to in subparagraph (b);
- (d) goods obtained from hunting, trapping, fishing, aquaculture, gathering or capturing and farming conducted in the territory of the Party;
- (e) minerals and other naturally occurring substances, not included in subparagraphs (a) to (d), extracted or taken from its soil, water, seabed or beneath the seabed of the Party;
- (f) goods taken from the waters, seabed or beneath the seabed outside the territorial waters of that Party, provided that Party has the rights to exploit such waters, seabed and beneath the seabed in accordance with international law;
- (g) goods such as fish, shellfish and other marine life or marine goods taken from the high seas by vessels registered or entitled to fly the flag of that Party;
- (h) goods obtained, processed or produced on board a factory ship registered or recorded with that Party or entitled to fly the flag of that Party, exclusively from products referred to in subparagraph (f);
- (i) waste, scrap or used goods collected in the territory of the Party which can no longer perform their original purpose nor are capable of being restored or repaired and are fit only for the recovery of raw materials; and
- (j) goods obtained or produced in the territory of a Party solely from goods referred to in subparagraphs (a) to (i) or from their derivatives, at any stage of production.

Article 4.4: Qualifying Value Content

1. The qualifying value content of a good shall be calculated as follows:

$$QVC = \frac{V - VNM}{V} \times 100$$

where:

QVC - is the qualifying value of a good content expressed as a percentage;

V - is the FOB value of the final good; and

VNM - is the CIF value of the non-originating materials.

2. The percentage of qualifying value content shall not be less than 40%, except for the goods listed in Annex 4-B (Product Specific Rules) as provided under subparagraph (c) of Article 4.2.

Article 4.5: Change in Tariff Heading

Change in tariff heading refers to the final good that is classified under a heading of the Harmonised System (HS) which must be different from the headings under which the non-originating materials used in the production process of the said good as provided under subparagraph (b) of Article 4.2.

Article 4.6: Indirect Materials

1. Any indirect material used in the production of a good shall be treated as originating materials, irrespective of whether such indirect material originates from a non-Party.

Article 4.7: Minimal Operations and Processes that do not Confer Origin

The following minimal operations or processes, undertaken exclusively by itself or in combination, do not confer origin:

- (a) operations to ensure the preservation of products in good condition during transport and storage such as drying, freezing, ventilation, chilling and like operations;
- (b) sifting, classifying, washing, cutting, slitting, bending, coiling or uncoiling, sharpening, simple grinding, slicing ;
- (c) cleaning, including removal of oxide, oil, paint or other coverings;

- (d) painting and polishing operations;
- (e) testing or calibration;
- (f) placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (g) simple mixing⁴ of goods, whether or not of different kinds;
- (h) simple assembly⁵ of parts of products to constitute a complete good;
- (i) changes of packing, unpacking or repacking operations, and breaking up and assembly of consignments;
- (j) affixing or printing marks, labels, logos and other like distinguishing signs on goods or their packaging;
- (k) mere dilution with water or another substance that does not materially alter the characteristics of the goods; and
- (l) husking, partial or total bleaching, polishing and glazing of cereals and rice.

Article 4.8: Accumulation

An originating good of a Party which is used in the processing or production in the territory of the other Party as material for finished good, shall be deemed as a material originating in the territory of the latter Party where the working or processing of the finished goods has taken place.

Article 4.9: *De Minimis*

A good that does not undergo a change in tariff classification shall be considered as originating if:

⁴ “Simple mixing” generally describes an activity which does not need special skills, machine, apparatus or equipment especially produce or install for carrying out the activity. However, simple mixing does not include chemical reaction. Chemical reaction means a process (including a bio chemical process) which results in a molecule with a new structure by breaking intra molecular bonds and by forming new intra molecular bonds, or by altering the spatial arrangement of atoms in a molecule.

⁵ “Simple assembly” generally describes an activity which does not need special skills, machines, apparatus or equipment especially produced or installed for carrying out the activity.

- (a) the value of all non-originating materials used in its production that do not undergo the required change in tariff classification do not exceed 10% of the FOB value of the good; and
- (b) the good meets all other applicable criteria set forth in this Chapter for qualifying as an originating good.

Article 4.10: Fungible Goods and Materials

1. The determination of whether fungible goods or materials are originating goods shall be made either by physical segregation of each of the materials, or through the use of an inventory management method recognised in the generally accepted accounting principles of the Party in which the production is performed or otherwise accepted by that Party.

2. The method of inventory management chosen by the exporter must be maintained for at least one year.

Article 4.11: Accessories, Spare Parts, Tools and Instructional or Information Materials

1. Accessories, spare parts, tools, instructional or other information materials delivered with a good that form part of the good's standard accessories, spare parts, or tools, shall be regarded as a part of the good, and shall be disregarded in determining whether or not all the non-originating materials used in the production of the originating goods undergo the applicable change in tariff classification provided that:

- (a) the accessories, spare parts, tools, instructional or other information materials are classified with and not invoiced separately from the good; and
- (b) the quantities and value of the accessories, spare parts, tools, instructional or other information materials are customary for the good.

2. If the goods are subject to qualifying value content requirement, the value of the accessories, spare part, or tools shall be taken into account as originating or non-originating materials, as the case may be, in calculating the qualifying value content of the goods.

Article 4.12: Treatment of Packages, Packing Materials and Containers

1. If a good is subject to the qualifying value content provided in Article 4.4, the value of the packages and packing materials for retail sale, shall be taken into account

in determining the origin of that good as originating or non-originating, as the case may be, provided that the packages and packing materials are considered to be forming a whole with the good.

2. If a good is subject to the change in tariff classification criterion provided in Article 4.5, packages and packing materials classified together with the packaged good, shall not be taken into account in determining origin.

3. Packing materials and containers used exclusively for the transportation of a good shall not be taken into account in determining the origin of such goods.

Article 4.13: Direct Consignment

1. A good shall be deemed as directly consigned from the exporting Party to the importing Party:

- (a) if the goods are transported without passing through the territory of any non-Party; or
- (b) if the goods are transported for the purpose of transit through a non-Party with or without transshipment or temporary storage in such non-Party, provided that:
 - (i) the transit is justified for geographical reasons or transport requirements;
 - (ii) the goods have not entered into trade or consumption in the territory of the non-Party; and
 - (iii) the goods have not undergone any operation in the territory of the non-Party other than unloading, reloading and splitting-up/bulk breaking or any operation required to keep the goods in good condition.

2. A directly consigned good shall retain its originating status.

3. In the case where an originating good of the exporting Party is imported through one or more non-Parties or after an exhibition in a non-Party, the Customs Authority of the importing Party may require importers, who claim the preferential tariff treatment for the good, to submit supporting documentation such as transport, customs documents or other documents.

Article 4.14: Certificate of Origin

A claim that goods are eligible for preferential treatment under this Agreement shall be supported by a Certificate of Origin in the form as prescribed in Annex 4-C (Form of Certificate of Origin), issued by the Competent Authority of the exporting Party.

Article 4.15: Committee on Rules of Origin and Customs Administration

1. For the purposes of the effective implementation and operation of this Chapter and Chapter 5 (Customs Administration), the Parties hereby establish a Committee on Rules of Origin and Customs Administration, comprising of representatives of each Party.

2. The functions of the Committee on Rules of Origin and Customs Administration shall be to:

- (a) review the implementation and operation of this Chapter and Chapter 5 (Customs Administration);
- (b) report its findings to the Joint Committee;
- (c) identify areas, relating to this Chapter and Chapter 5 (Customs Administration), to be improved for facilitating trade in goods between the Parties; and
- (d) carry out other functions as may be delegated by the Joint Committee in accordance with subparagraph 4(e) of Article 11.1.

3. The Committee on Rules of Origin and Customs Administration shall meet at such venues and times as may be agreed by the Parties.

ANNEX 4-A

OPERATIONAL CERTIFICATION PROCEDURE

For the purposes of implementing the rules of origin applicable to this Agreement, the following operational procedures on the issuance and verification of the Certificate of Origin as set out in Annex 4-C and other related administrative matters shall apply:

Rule 1: Certification of Origin

- (a) The Certificate of Origin shall be issued by the Competent Authority of the exporting Party.
- (b) Each Party shall inform the other Party of the names and addresses of its respective Competent Authorities and shall provide the official seals used by such authorities. Any change in names, addresses or official seals shall be promptly informed in the same manner.
- (c) The Certificate of Origin shall remain valid for a period of one year from the date the document was issued.
- (d) The original of the Certificate of Origin shall be submitted at the time the declaration of the goods is made.
- (e) Parties should implement an electronic system of certification of origin. Parties also recognise the validity of the digital signature.

Rule 2: Certificate of Origin

- (a) The Certificate of Origin shall be in ISO A4 size paper and in conformity to the form as shown in Annex 4-C.
- (b) The Certificate of Origin shall be in English.
- (c) Each Certificate of Origin shall bear a serial reference number.
- (d) The Certificate of Origin shall comprise one original and two carbon copies or photocopies.
- (e) The exporter shall indicate the applicable rule of origin of this Agreement in Box 9 of the Certificate of Origin.

Rule 3: Amendments to the Certificate of Origin

- (a) Neither erasures nor superimposition shall be allowed on the Certificate of Origin. Any alteration shall be made by striking out the erroneous information and making any addition required. Such alterations shall be approved by an official authorised to sign the Certificate of Origin and certified by the Competent Authority.
- (b) Unused spaces in the Certificate of Origin shall be crossed out by the Competent Authority to prevent any subsequent addition.

Rule 4: Verification Prior to Issuance

For the purposes of verifying whether a good is an originating good, the Competent Authority shall have the right to call for any supporting documentary evidence or to carry out any check considered appropriate.

Rule 5: Application for Certificate of Origin

At the time of carrying out the formalities for exporting the goods under preferential treatment, the exporter or its authorised representative shall submit a written application for the Certificate of Origin together with appropriate supporting documents proving that the goods to be exported fulfil the originating criteria under this Agreement.

Rule 6: Obligations of the Competent Authority

The Competent Authority shall carry out proper examination upon each application for the Certificate of Origin to ensure that:

- (a) the application and the Certificate of Origin are duly completed and signed by the authorised signatory;
- (b) the origin of the good is in conformity with the provisions of this Agreement;
- (c) other statements on the Certificate of Origin correspond to the supporting documentary evidence submitted; and
- (d) HS code, description, quantity, weight and value of goods, marks, number and kinds of packages, as specified, conform to the goods to be exported.

Rule 7: Issuance of Certificate of Origin

- (a) The Certificate of Origin shall be issued by the Competent Authority of the exporting Party at the time of exportation or soon thereafter.
- (b) Where a Certificate of Origin has not been issued at the time of exportation or soon thereafter due to involuntary errors or omissions or other valid causes, the Certificate of Origin may be issued retroactively within one year from the date of shipment.

Rule 8: Duplicate

- (a) In the event of theft, loss or destruction of the Certificate of Origin, the exporter, by stating the reasons for his request, may apply to the Competent Authorities which issued the Certificate of Origin for a duplicate to be made out on the basis of the export documents in their possession.
- (b) The duplicate shall be endorsed with an official seal and bear the date of issue of the original certificate and shall take effect from the date of issuance of the original Certificate of Origin.

Rule 9: Exceptions

- (a) In the case of consignments of goods originating in the exporting Party and not exceeding US\$200.00 FOB, the requirement of a Certificate of Origin may be waived, provided that the importation does not form part of one or more importations that may reasonably be considered to have been undertaken or arranged for the purpose of avoiding the certification requirements of this Annex.
- (b) An importation of originating goods of the exporting Party, for which the Customs Authority of the importing Party has waived the requirement for a Certificate of Origin.

Rule 10: Minor Discrepancies

Minor discrepancies in the Certificate of Origin may not, *ipso facto*, invalidate the Certificate of Origin, if it does, in fact, correspond to the goods submitted.

Rule 11: Request for Information Concerning Certificate of Origin

- (a) For the purposes of determining whether a good imported from the exporting Party under preferential tariff treatment qualifies as an originating good of the exporting Party, the Customs Authority of the importing Party may request information relating to the origin of the good from the Competent Authority of the exporting Party on the basis of a Certificate of Origin, where it has reasonable doubt as to the authenticity of the Certificate of Origin or the accuracy of the information included in the Certificate of Origin.
- (b) For the purposes of paragraph (a), the Competent Authority of the exporting Party shall provide the information requested within a period of three months from the date of receipt of the request. If the Customs Authority of the importing Party considers necessary, it may require additional information relating to the origin of the good. If additional information is requested by the Customs Authority of the importing Party, the Competent Authority of the exporting Party shall, in accordance with the laws and regulations of the exporting Party, provide the information requested within a period of three months from the date of receipt of the request.
- (c) For the purposes of paragraph (b), the Competent Authority of the exporting Party may request the exporter to whom the Certificate of Origin has been issued, to provide the information requested.
- (d) The request of information in accordance with paragraph (a) shall not preclude the use of the verification method provided for in Rule 12.

Rule 12: Verification Visit

- (a) The Relevant Authority of the importing Party may request the Competent Authority of the exporting Party:
 - (i) to conduct a visit, whereby it shall deliver a written communication with such request to the Competent Authority of the exporting Party at least 40 days in advance of the proposed date of the visit, the receipt of which is to be confirmed by the Competent Authority of the exporting Party. The Competent Authority of the exporting Party shall request the written consent of the exporter or the producer of the good in the exporting Party whose premises are to be visited; and
 - (ii) to provide information relating to the origin of the good in the possession of the Competent Authority of the exporting Party during the visit pursuant to subparagraph (i).
- (b) The communication referred to in paragraph (a) shall include:

- (i) the identity of the Relevant Authority issuing the communication;
 - (ii) the name of the exporter whose premises are requested to be visited;
 - (iii) the proposed date and place of the visit;
 - (iv) the objective and scope of the proposed visit, including specific reference to the good subject to the verification, referred in the Certificate of Origin; and
 - (v) the names and titles of the officials of the Relevant Authority of the importing Party to be present during the visit.
- (c) The Competent Authority of the exporting Party shall respond in writing to the Relevant Authority of the importing Party, within 30 days of the receipt of the communication referred to in paragraph (b), if it accepts or refuses to conduct the visit requested pursuant to paragraph (a).
- (d) For the compliance of subparagraph (a)(i), the Competent Authority of the exporting Party shall collect and provide information relating to the origin of a good and check, for that purpose, the facilities used in the production of the good, through a visit with the Relevant Authority of the importing Party to the premises of the exporter to whom the Certificate of Origin has been issued, of the good in the exporting Party referred to in Rule 5 and 6.
- (e) The Competent Authority of the exporting Party shall, in accordance with the laws and regulations of the exporting Party, provide information within 45 days or any other mutually agreed period from the last day of the visit, to the Relevant Authority of the importing Party pursuant to paragraph (a).

Rule 13: Determination of Origin and Preferential Tariff Treatment

- (a) The Customs Authority of the importing Party may deny preferential tariff treatment to a good for which an importer claims preferential tariff treatment where the good does not qualify as an originating good of the exporting Party or where the importer fails to comply with any of the relevant requirements of Chapter 4 (Rules of Origin).
- (b) The Customs Authority of the importing Party may determine that a good does not qualify as an originating good of the exporting Party and may deny preferential tariff treatment in the following cases:

- (i) where the Competent Authority of the exporting Party fails to respond to the request within the period referred to in paragraph (b) of Rule 11 or paragraph (b) of Rule 12;
- (ii) where the Competent Authority of the exporting Party refuses to conduct a visit, or fails to respond to the communication referred to in paragraph (a) of Rule 11 within the period referred to in paragraph (b) of Rule 12; or
- (iii) where the information provided to the Customs Authority of the importing Party pursuant to Rule 11 or 12, is not sufficient to prove that the good qualifies as an originating good of the exporting Party.

In such cases, a written determination thereof shall be sent to the Competent Authority of the exporting Party:

- (c) After carrying out the procedures outlined in Rule 11 or 12 as the case may be, the Customs Authority of the importing Party shall provide the Competent Authority of the exporting Party with a written determination of whether or not the good qualifies as an originating good of the exporting Party, including findings of fact and the legal basis for the determination, within 45 days from the date of receipt of the information provided by the Competent Authority of the exporting Party pursuant to Rule 11 or 12. The Competent Authority of the exporting Party shall inform such determination by the Customs Authority of the importing Party to the exporter, of the good in the exporting Party, whose premises were subject to the visit referred to in Rule 12.
- (d) The Competent Authority of the exporting Party shall, when it cancels the decision to issue the Certificate of Origin, promptly notify the cancellation to the exporter to whom the Certificate of Origin has been issued, and to the Customs Authority of the importing Party except where the Certificate of Origin has been returned to the Competent Authority of the exporting Party. The Customs Authority of the importing Party may deny preferential tariff treatment when it receives the notification.

Rule 14: Records and Confidentiality

- (a) The application for Certificates of Origin and all documents related to such application shall be kept by the Competent Authorities and exporters for not less than three years from the date of issuance.
- (b) Information relating to the validity of the Certificate of Origin shall be furnished upon request.

- (c) Any confidential information shall be treated as such in accordance with the Parties domestic legislation and shall be used for the validation of Certificates of Origin purposes only.

Rule 15: Exhibition

- (a) Originating goods, sent for exhibition in a country other than Malaysia or Chile and sold after the exhibition for importation in Malaysia or Chile shall be deemed as originating and eligible for preferential treatment provided it is shown to the satisfaction of the Customs Authority of the importing Party that:
 - (i) an exporter has consigned the goods from Malaysia or Chile to the country in which the exhibition is held and has exhibited there;
 - (ii) the goods has been sold or otherwise dispose of by that exporter to a importer in Malaysia or Chile;
 - (iii) the goods have been consigned during the exhibition or immediately thereafter in the Party in which they were sent for exhibition and have not been used for a purpose other than demonstration at the exhibition; and
 - (iv) the goods have remained during the exhibition under Customs control.
- (b) A Certificate of Origin must be issued or made out in accordance with the provision of Chapter 4 (Rules of Origin). The name of the place of the exhibition must be indicated in the Certificate of Origin. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.
- (c) Paragraph (a) shall apply to any trade, industrial, agricultural or craft exhibitions, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods.

Rule 16: Penalties Against False Declaration

- (a) Each Party shall establish or maintain appropriate penalties or sanctions against its exporters to whom a Certificate of Origin has been issued, for providing false declaration or documents to the Competent Authority of the exporting Party, prior to the issuance of the Certificate of Origin.
- (b) Each Party shall, in accordance with its laws and regulations, take measures which it considers appropriate against its exporters to whom a Certificate of Origin has been issued if they fail to notify in writing to the Competent Authority

of the exporting Party without delay after having known, after the issuance of Certificate of Origin, that such good does not qualify as an originating good of the exporting Party.

- (c) When the exporter repeatedly provided false information or documentation, the Competent Authority may temporarily suspend the issuance of new Certificate of Origin.

Rule 17: Obligations of the Exporter

The exporter to whom a Certificate of Origin has been issued in the exporting Party referred to in Rule 1, shall notify in writing to the Competent Authority of the exporting Party without delay when such exporter knows that such good does not qualify as an originating good of the exporting Party.

Rule 18: Obligations of the Importer

- (a) Except as otherwise provided for in Chapter 4 (Rules of Origin), the Customs Authority of the importing Party shall require an importer who claims preferential tariff treatment for goods imported from the other Party to:
 - (i) make a customs declaration, based on a valid Certificate of Origin, that the goods qualify as an originating good of the exporting Party;
 - (ii) have the Certificate of Origin in its possession at the time the declaration is made;
 - (iii) provide the Certificate of Origin on the request of the Customs Authority of the importing Party; and
 - (iv) promptly notify the Customs Authority and pay any duties owing where the importer has reason to believe that the Certificate of Origin on which a declaration was based contains information that is not correct.
- (b) An importer claiming preferential tariff treatment for goods imported into the Party's territory shall maintain, for a period after the date of importation of the goods, a Certificate of Origin or other information demonstrating that the goods qualify as originating, and all other documents that the Party may require relating to the importation of the goods, in accordance to the domestic laws and regulations.

Rule 19: Customs Duty Refund

Each Party shall provide that, where an originating good was imported into the territory of that Party but no claim for preferential tariff treatment was made at the time of importation, the importer of the good may, no later than one year after the date on which the good was imported, apply for a refund of any excess duties paid to the Customs Authority of the importing Party as the result of the good not having been accorded preferential tariff treatment, on presentation of:

- (i) a written declaration that the good qualified as originating at the time of importation;
- (ii) a Certificate of Origin or other information demonstrating that the good qualifies as originating; and
- (iii) such other documentation relating to the importation of the good as the importing Party may require.

Rule 20: Non-Party Invoices

- (a) The Customs Authority of the importing Party shall accept Certificate of Origin in cases where the invoice is issued by a company located in a non-Party provided that the goods meet the requirements of Chapter 4 (Rules of Origin).
- (b) The exporter shall indicate “non-Party invoicing” in the Certificate of Origin.

ANNEX 4-B

PRODUCT SPECIFIC RULES⁶

Section 1: General Notes

1. For the purposes of the product specific rules set out in this Annex:
 - (a) the specific rule, or specific set of rules, that applies to a particular heading or subheading is set out immediately adjacent to the heading or subheading;
 - (b) a rule applicable to a subheading shall take precedence over a rule applicable to the heading which is parent to that tariff item;
 - (c) a requirement of a change in tariff classification applies only to non-originating materials;
 - (d) the following definitions shall apply:
 - (i) **chapter** means a chapter of the Harmonised System (HS);
 - (ii) **heading** means the first four digits in the tariff classification number under the Harmonised System (HS); and
 - (iii) **subheading** means the first six digits in the tariff classification number under the Harmonised System (HS).
2. Where a tariff heading or subheading is subject to alternative product specific rules, it shall be sufficient to comply with one of the rules.
3. Where the product specific rule requires only a qualifying value content, the final process of production must be performed within a Party.
4. Where the change in tariff classification rule expressly excludes a change from other tariff classifications, the exclusion applies only to non-originating materials.
5. This Annex is set out as follows:
 - (a) **Column 1** – Tariff Heading (4-digit)
 - (b) **Column 2** – Tariff Subheading (6-digit)
 - (c) **Column 3** – Product Description

⁶ This Annex is based on the Harmonised System 2007.

- (d) **Column 4** – Applicable product specific rule(s) of origin (Origin Conferring Criteria).
6. For the purposes of column 4 of this Annex:
- (a) **QVC 40%** means that the good must have a qualifying value content of not less than 40% as calculated under Article 4.4;
 - (b) **CC** means that all non-originating materials used in the production of the good have undergone a change in tariff classification at the 2-digit level;
 - (c) **CTH** means that all non-originating materials used in the production of the good have undergone a change in tariff classification at the 4-digit level; and
 - (d) **CTSH** means that all non-originating materials used in the production of the good have undergone a change in tariff classification at the 6-digit level.

Section 2: Product Specific Rules

Heading	Subheading	Description	PRODUCT SPECIFIC RULES (PSR)
Chapter 1 Live animals			
01.01		Live horses, asses, mules and hinnies.	CC
01.02		Live bovine animals.	CC
01.03		Live swine.	CC
01.04		Live sheep and goats.	CC
01.05		Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls.	CC
01.06		Other live animals.	CC
Chapter 2 Meat and edible meat offal			
02.01		Meat of bovine animals, fresh or chilled.	CC
02.02		Meat of bovine animals, frozen.	CC
02.03		Meat of swine, fresh, chilled or frozen.	CC
02.04		Meat of sheep or goats, fresh, chilled or frozen.	CC
02.05		Meat of horses, asses, mules or hinnies, fresh, chilled or frozen.	CC
02.06		Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen.	CC
02.07		Meat and edible offal, of the poultry of heading 01.05, fresh, chilled or frozen.	CC
02.08		Other meat and edible meat offal, fresh, chilled or frozen.	CC
02.09		Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked.	CC
02.10		Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal.	CC
Chapter 3 Fish and crustaceans, molluscs and other aquatic invertebrates			
03.01		Live fish.	CC
03.02		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading 03.04	CC
03.03		Fish, frozen, excluding fish fillets and other fish meat of heading 03.04	CC
03.04		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen.	CC

03.06		Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustacean, fit for human consumption.	
		- Frozen:	
	0306.11	- - Rock lobster and other sea crawfish (<i>Palinurus spp.</i> , <i>Panulirus spp.</i> , <i>Jasus spp.</i>).	CC
	0306.12	-- Lobsters (<i>Homarus spp.</i>).	CC
	0306.13	-- Shrimps and prawns.	CC
	0306.14	-- Crabs.	CC
	0306.19	- - Other, including flours, meals and pellets of crustaceans, fit for human consumption.	QVC 40% or CC
		- Not frozen:	
	0306.21	- -Rock lobster and other sea crawfish (<i>palinurus spp.</i> , <i>panulirus spp.</i> , <i>jasus spp.</i>).	CC
	0306.22	-- Lobsters (<i>Homarus spp.</i>).	CC
	0306.23	-- Shrimps and prawns.	CC
	0306.24	-- Crabs.	CC
	0306.29	- - Other, including flours, meals and pellets of crustaceans, fit for human consumption.	QVC 40% or CC
03.07		Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption.	CC
Chapter 4 Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included			
04.01		Milk and cream, not concentrated nor containing added sugar or other sweetening matter.	CC
04.02		Milk and cream, concentrated or containing added sugar or other sweetening matter.	CC
04.03		Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa.	CC

04.04		Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included.	CC
04.05		Butter and other fats and oils derived from milk; dairy spreads.	CC
04.06		Cheese and curd.	CC
04.07		Birds' eggs, in shell, fresh, preserved or cooked.	CC
04.08		Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter.	CC
04.09		Natural honey.	CC
04.10		Edible products of animal origin, not elsewhere specified or included.	CC
Chapter 5 Products of animal origin, not elsewhere specified or included			
05.01		Human hair, unworked, whether or not washed or scoured; waste of human hair.	CC
05.02		Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair.	CC
05.04		Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked.	CC
05.05		Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers.	CC
05.06		Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products.	CC
05.07		Ivory, tortoise-shell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products.	CC
05.08		Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttle-bone, unworked or	CC

		simply prepared but not cut to shape, powder and waste thereof.	
05.10		Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved.	CC
05.11		Animal products not elsewhere specified or included; dead animals of chapter 1 or 3, unfit for human consumption.	CC
Chapter 6 Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage			
06.01		Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading 12.12.	CC
06.02		Other live plants (including their roots), cuttings and slips; mushroom spawn.	CC
Chapter 7 Edible vegetables and certain roots and tubers			
07.01		Potatoes, fresh or chilled.	CC
07.02		Tomatoes, fresh or chilled.	CC
07.03		Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled.	CC
07.04		Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled.	CC
07.05		Lettuce (<i>lactuca sativa</i>) and chicory (<i>cichorium spp.</i>), fresh or chilled.	CC
07.06		Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled.	CC
07.07		Cucumbers and gherkins, fresh or chilled.	CC
07.08		Leguminous vegetables, shelled or unshelled, fresh or chilled.	CC
07.09		Other vegetables, fresh or chilled.	CC
07.10		Vegetables (uncooked or cooked by steaming or boiling in water), frozen.	
	0710.90	- Mixtures of vegetables	CTSH
07.11		Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption.	
	0711.90	- Other vegetables; mixtures of vegetables.	CTH
07.12		Dried Vegetables, whole, cut, slice, broken or in powder but not further prepared.	
	0712.90	- Other vegetables; mixtures of vegetables.	CTH

07.14		Manioc, arrowroot, salep, jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith.	CC
Chapter 8 Edible fruit and nuts; peel of citrus fruit or melons			
08.01		Coconuts, brazil nuts and cashew nuts, fresh or dried, whether or not shelled or peeled.	
		- Coconuts:	
	0801.11	-- Desiccated.	QVC 40% or CC
	0801.19	-- Other.	QVC 40% or CC
		- Brazil nuts:	
	0801.21	-- In shell.	CC
	0801.22	-- Shelled.	QVC 40% or CC
		- Cashew nuts:	
	0801.31	-- In shell.	CC
	0801.32	-- Shelled.	CC
08.02		Other nuts, fresh or dried, whether or not shelled or peeled.	CC
08.03		Bananas, including plantains, fresh or dried.	CC
08.04		Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried.	CC
08.05		Citrus fruit, fresh or dried.	CC
08.06		Grapes, fresh or dried.	CC
08.07		Melons (including watermelons) and papaws (papayas), fresh.	CC
08.08		Apples, pears and quinces, fresh.	CC
08.09		Apricots, cherries, peaches (including nectarines), plums and sloes, fresh.	CC
0810		Other fruit, fresh.	CC
Chapter 9 Coffee, tea, maté and spices			
09.01		Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion.	CTSH
Chapter 10 Cereals			
10.01		Wheat and meslin.	CC
10.02		Rye.	CC
10.03		Barley.	CC
10.04		Oats.	CC
10.05		Maize (corn).	CC
10.06		Rice.	CC

10.07		Grain sorghum.	CC
10.08		Buckwheat, millet and canary seed; other cereals.	CC
Chapter 11 Products of the milling industry; malt; starches; inulin; wheat gluten			
11.01		Wheat or meslin flour.	CC
11.02		Cereal flours other than of wheat or meslin.	CC
11.06		Flour, meal and powder of the dried leguminous vegetables of heading 07.13, of sago or of roots or tubers of heading 07.14 or of the products of chapter 8.	CC
11.07		Malt, whether or not roasted.	
	1107.10	- Not roasted.	CC
	1107.20	- Roasted.	CTH
11.08		Starches; inulin.	CC
11.09		Wheat gluten, whether or not dried.	CC
Chapter 13 Lac; gums, resins and other vegetable saps and extracts			
13.01		Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams).	CC
13.02		Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products.	CC
Chapter 15 Animal Or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes			
15.09		Olive oil and its fractions, whether or not refined, but not chemically modified	CC
15.11		Palm oil and its fractions, whether or not refined, but not chemically modified:	
	1511.10	- Crude oil	CC
15.13		Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified:	
		- Palm kernel or babassu oil and fractions thereof:	
	1513.21	-- Crude oil	CC
Chapter 16 Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates			
16.01		Sausages and similar products, of meat, meat offal or blood; food preparations based on these products.	CTH
16.02		Other prepared or preserved meat, meat	CTH

		offal or blood.	
16.03		Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates.	CTH
16.04		Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs.	CTH
16.05		Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.	CTH
Chapter 17 Sugars and sugar confectionery			
17.01		Cane or beet sugar and chemically pure sucrose, in solid form.	CC
17.02		Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel.	
		- Lactose and lactose syrup:	
	1702.11	- - Containing by weight 99% or more lactose, expressed as anhydrous lactose, calculated on the dry matter.	CTH
	1702.19	- - Other.	CTH
	1702.20	- Maple sugar and maple syrup.	CTH
	1702.40	- Glucose and glucose syrup, containing in the dry state at least 20% but less than 50% by weight of fructose, excluding invert sugar.	CTH
	1702.50	- Chemically pure fructose.	CTH
17.03		Molasses resulting from the extraction or refining of sugar.	CTSH
	1703.10	- Cane molasses.	CTSH
	1703.90	- Other.	CTSH
Chapter 19 Preparations of cereals, flour, starch or milk; pastrycooks' products			
19.01		Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading 04.01 to 04.04, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included.	

	1901.10	- Preparations for infant use, put up for retail sale.	CC
	1901.20	- Mixes and doughs for the preparation of bakers' wares of heading 19.05.	CC
	1901.90	- Other.	CTH
19.02		Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared.	CTH
19.03	1903.00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms.	QVC 40% or CC
19.04		Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included.	CTH
Chapter 20 Preparations of vegetables, fruit, nuts or other parts of plants			
20.01		Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid.	QVC 40% or CC
20.02		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid.	QVC 40% or CC
20.03		Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid.	QVC 40% or CC
20.04		Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06.	QVC 40% or CC
20.05		Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 20.06.	QVC 40% or CC
20.06		Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacés or crystallised).	CC
20.07		Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter.	CC
20.09		Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter.	QVC 40% or CC

Chapter 21 Miscellaneous edible preparations			
21.01		Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof.	QVC 40% or CC
21.02		Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 30.02); prepared baking powders.	
	2102.10	- Active yeasts.	QVC 40% or CC
	2102.20	- Inactive yeasts; other single-cell micro-organisms, dead.	CTSH
	2102.30	- Prepared baking powders.	CTSH
21.03		Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard.	
	2103.20	- Tomato ketchup and other tomato sauces.	QVC 40% or CC
	2103.30	- Mustard flour and meal and prepared mustard.	CTSH
Chapter 22 Beverages, spirits and vinegar			
22.01		Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow.	QVC 40% or CC
22.02		Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 20.09	QVC 40% or CC
22.03		Beer made from malt.	CC
22.04		Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09.	

		- Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:	
	2204.21	-- In containers holding 2 l or less.	CC
	2204.29	-- Other.	CC
	2204.30	- Other grape must.	QVC 40% or CC
22.06		Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included.	QVC 40% or CC
Chapter 25 Salt; sulphur; earths and stone; plastering materials, lime and cement			
25.17		Pebbles, gravel, broken or crushed stone, of a kind commonly used for concrete aggregates, for road metalling or for railway or other ballast, shingle and flint, whether or not heat-treated; macadam of slag, dross or similar industrial waste, whether or not incorporating the materials cited in the first part of the heading; tarred macadam; granules, chippings, and powder, of stones of heading 25.15 or 25.16, whether or not heat-treated.	
	2517.30	- Tarred macadam.	CTSH
25.23		Portland cement, aluminous cement, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinkers.	
		- Portland cement:	
	2523.21	-- White cement, whether or not artificially coloured.	QVC 40% or CTSH, except from subheadings 2523.29 through 2523.90
	2523.29	-- Other.	QVC 40% or CTSH, except from subheadings 2523.29 through 2523.91
Chapter 27 Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes			

27.07		Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents.	
	2707.10	- Benzol (benzene).	CTSH
Chapter 28			
Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes			
I. - CHEMICAL ELEMENTS			
28.01		Fluorine, chlorine, bromine and iodine.	CTSH
28.04		Hydrogen, rare gases and other non-metals.	
	2804.10	- Hydrogen.	QVC 40% or CTSH
		- Rare gases:	
	2804.21	- - Argon.	QVC 40% or CTSH
	2804.29	- - Other.	QVC 40% or CTSH
	2804.30	- Nitrogen.	QVC 40% or CTSH
	2804.40	- Oxygen.	QVC 40% or CTSH
	2804.50	- Boron; tellurium.	CTSH
	2804.70	- Phosphorus.	CTSH
	2804.80	- Arsenic.	CTSH
	2804.90	- Selenium.	CTSH
II. - INORGANIC ACIDS AND INORGANIC OXYGEN COMPOUNDS OF NON-METALS			
28.06		Hydrogen chloride (hydrochloric acid); chlorosulphuric acid:	
	2806.10	- Hydrogen chloride (hydrochloric acid)	QVC 40% or CTSH
	2806.20	- Chlorosulphuric acid	QVC 40% or CTSH
28.09		Diphosphorus pentaoxide; phosphoric acid; polyphosphoric acids, whether or not chemically defined:	
	2809.10	- Diphosphorus pentaoxide	CTSH
	2809.20	- Phosphoric acid and polyphosphoric acids	CTSH
28.11		Other inorganic acids and other inorganic oxygen compounds of non-metals:	
		- Other inorganic acids:	
	2811.11	- - Hydrogen fluoride (hydrofluoric acid)	CTSH
	2811.19	- - Other	QVC 40% or CTSH
		- Other inorganic oxygen compounds of non-metals:	
	2811.21	- - Carbon dioxide	CTSH
	2811.22	- - Silicon dioxide	CTSH
	2811.29	- Other	QVC 40% or CTSH
III. - HALOGEN OR SULPHUR COMPOUNDS OF NON-METALS			

28.12		Halides and halide oxides of non-metals:	
	2812.10	- Chlorides and chloride oxides	CTSH
	2812.90	- Other	CTSH
28.13		Sulphides of non-metals; commercial phosphorus trisulphide:	CTSH
IV. INORGANIC BASES AND OXIDES, HYDROXIDES AND PEROXIDES OF METALS			
28.15		Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium:	
		- Sodium hydroxide (caustic soda):	
	2815.11	-- Solid	QVC 40% or CTSH, except from subheading 2815.12
	2815.12	-- In aqueous solution (soda lye or liquid soda)	QVC 40% or CTSH, except from subheading 2815.11
	2815.20	- Potassium hydroxide (caustic potash)	CTSH
	2815.30	- Peroxides of sodium or potassium	CTSH
28.16		Hydroxide and peroxide of magnesium; oxides, hydroxides and peroxides, of strontium or barium:	
	2816.10	- Hydroxide and peroxide of magnesium	CTSH
	2816.40	- Oxides, hydroxides and peroxides, of strontium or barium	CTSH
28.19		Chromium oxides and hydroxides:	CTSH
28.24		Lead oxides; red lead and orange lead:	CTSH
V. SALTS AND PEROXYSALTS, OF INORGANIC ACIDS AND METALS			
28.26		Fluorides; fluorosilicates, fluoroaluminates and other complex fluorine salts:	CTSH
28.27		Chlorides, chloride oxides and chloride hydroxides; bromides and bromide oxides; iodides and iodide oxides:	CTSH
28.30		Sulphides; polysulphides, whether or not chemically defined:	CTSH
28.31		Dithionites and sulphonylates:	CTSH
28.32		Sulphites; thiosulphates:	CTSH
28.33		Sulphates; alums; peroxosulphates (persulphates):	
		- Sodium sulphates	
	2833.11	-- Disodium sulphate	CTSH
	2833.19	-- Other	CTSH
		-Other sulphates:	
	2833.22	-- Of aluminium	CTSH
	2833.24	-- Of nickel	CTSH
	2833.25	-- Of copper	CTSH
	2833.30	- Alums	CTSH
	2833.40	- Peroxosulphates (persulphates)	CTSH
28.34		Nitrites; nitrates:	CTSH

28.35		Phosphinates (hypophosphites), phosphonates (phosphites), phosphates; polyphosphates, whether or not chemically defined:	CTSH
28.36		Carbonates; peroxocarbonates (percarbonates); commercial ammonium carbonate containing ammonium carbamate:	CTSH
28.37		Cyanides, cyanide oxides and complex cyanides:	CTSH
28.39		Silicates; commercial alkali metal silicates:	QVC 40% or CTSH
28.41		Salts of oxometallic or peroxometallic acids:	CTSH
28.42		Other salts of inorganic acids or peroxyacids (including aluminosilicates whether or not chemically defined), other than azides:	QVC 40% or CTSH
VI. MISCELLANEOUS			
28.43		Colloidal precious metals; inorganic or organic compounds of precious metals, whether or not chemically defined; amalgams of precious metals.	QVC 40% or CTSH
28.44		Radioactive chemical elements and radioactive isotopes (including the fissile or fertile chemical elements and isotopes) and their compounds; mixtures and residues containing these products.	QVC 40% or CTSH
28.46		Compounds, inorganic or organic, of rare-earth metals, of yttrium or of scandium or of mixtures of these metals.	QVC 40% or CTSH
28.49		Carbides, whether or not chemically defined.	QVC 40% or CTSH
Chapter 30 Pharmaceutical products			
30.01		Glands and other organs for organo-therapeutic uses, dried, whether or not powdered; extracts of glands or other organs or of their secretions for organo-therapeutic uses; heparin and its salts; other human or animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included.	CTSH
30.02		Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; vaccines, toxins, cultures of microorganisms (excluding yeasts) and similar products.	CTSH

30.03		Medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale.	CTSH
30.04		Medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale.	CTSH
30.05		Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in forms or packings for retail sale for medical, surgical, dental or veterinary purposes.	CTSH
30.06		Pharmaceutical goods specified in note 4 to this chapter.	CTSH
Chapter 31 Fertilisers			
3105		Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers; goods of this chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg.	
	3105.10	-Goods of this chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg:	QVC 40% or CC
	3105.20	-Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium.	QVC 40% or CTSH
	3105.30	-Diammonium hydrogenorthophosphate (diammonium phosphate).	CTSH
	3105.40	-Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate).	CTSH
		- Other mineral or chemical fertilisers containing the two fertilising elements nitrogen and phosphorus:	
	3105.51	- - Containing nitrates and phosphates.	QVC 40% or CTSH

	3105.59	-- Other	QVC 40% or CTSH
	3105.60	-Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium.	QVC 40% or CTSH
Chapter 32 Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks			
32.01		Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives:	CTSH
32.02		Synthetic organic tanning substances; inorganic tanning substances; tanning preparations, whether or not containing natural tanning substances; enzymatic preparations for pre-tanning:	CTSH
32.04		Synthetic organic colouring matter, whether or not chemically defined; preparations as specified in note 3 to this chapter based on synthetic organic colouring matter; synthetic organic products of a kind used as fluorescent brightening agents or as luminophores, whether or not chemically defined.	
		- Synthetic organic colouring matter and preparations based thereon as specified in Note 3 to this Chapter:	
	3204.11	-- Disperse dyes and preparations based thereon.	CTSH
	3204.12	-- Acid dyes, whether or not premetallised, and preparations based thereon; mordant dyes and preparations based thereon.	CTSH
	3204.13	-- Basic dyes and preparations based thereon	CTSH
	3204.14	-- Direct dyes and preparations based thereon.	CTSH
	3204.15	-- Vat dyes (including those usable in that state as pigments) and preparations based thereon.	CTSH
	3204.16	-- Reactive dyes and preparations based thereon.	CTSH
	3204.17	-- Pigments and preparations based thereon.	CTSH

	3204.19	- - Other, including mixtures of colouring matter of two or more of subheadings 3204.11 to 3204.19	CTSH, except from subheadings 3204.11 through 3204.17
	3204.20	-Synthetic organic products of a kind used as fluorescent brightening agents	CTSH
	3204.90	-Other	CTSH
32.06		Other colouring matter; preparations as specified in note 3 to this chapter, other than those of heading 32.03, 32.04 or 32.05; inorganic products of a kind used as luminophores, whether or not chemically defined:	
		-Pigments and preparations based on titanium dioxide:	
	3206.11	- -Containing 80% or more by weight of titanium dioxide calculated on the dry matter	QVC 40% or CTSH
	3206.19	-- -Other.	QVC 40% or CTSH
	3206.20	-Pigments and preparations based on chromium compounds.	CTSH
		- Other colouring matter and other preparations:	
	3206.41	- - Ultramarine and preparations based thereon.	CTSH
	3206.42	- - Lithopone and other pigments and preparations based on zinc sulphide.	CTSH
	3206.49	-- Other	CTSH
	3206.50	-Inorganic products of a kind used as luminophores	CTSH
32.07		Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, engobes (slips), liquid lustres and similar preparations, of a kind used in the ceramic, enamelling or glass industry; glass frit and other glass, in the form of powder, granules or flakes.	CTSH
32.12		Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels); stamping foils; dyes and other colouring matter put up in forms or packings for retail sale.	
	3212.10	-Stamping foils	CTSH
	3212.90	-Other	QVC 40% or CTSH
32.14		Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings; non-refractory surfacing preparations for façades, indoor walls, floors, ceilings or the like:	QVC 40% or CTSH
Chapter 33			

Essential oils and resinoids; perfumery, cosmetic or toilet preparations			
33.01		Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solution of essential oil.	QVC 40% or CTSH
Chapter 35 Albuminoidal substances; modified starches; glues; enzymes			
35.02		Albumins (including concentrates of two or more whey proteins, containing by weight more than 80% whey proteins, calculated on the dry matter), albuminates and other albumin derivatives:	QVC 40% or CTSH
35.05		Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches.	
	3505.10	-Dextrins and other modified starches	CTSH
	3505.20	-Glues	QVC 40% or CTSH
Chapter 37 Photographic or cinematographic goods			
37.07		Chemical preparations for photographic uses (other than varnishes, glues, adhesives and similar preparations); unmixed products for photographic uses, put up in measured portions or put up for retail sale in a form ready for use.	QVC 40% or CTSH
Chapter 41 Raw hides and skins (other than furskins) and leather			
41.04		Tanned or crust hides and skins of bovine (including buffalo) or equine animals, without hair on, whether or not split, but not further prepared.	
		- In the dry state (crust):	
	4104.41	-- Full grains, unsplit; grain splits	CTSH
	4104.49	-- Other	CTSH except from subheading 4104.41
41.05		Tanned or crust skins of sheep or lambs, without wool on, whether or not split, but not further prepared:	
	4105.30	- In the dry state (crust)	CTSH
41.06		Tanned or crust hides and skins of other animals, without wool or hair on, whether or not split, but not further prepared.	

	4106.40	- Of reptiles	QVC 40% or CTH or no change in tariff classification required provided that there is a change from the wet state to the dry state
	4106.92	- - In the dry state (crust)	CTSH
Chapter 42 Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk-worm gut)			
42.02		Trunks, suit-cases, vanity-cases, executive-cases, brief-cases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; travelling-bags, insulated food or beverages bags, toilet bags, rucksacks, handbags, shopping-bags, wallets, purses, map-cases, cigarette-cases, tobacco-pouches, tool bags, sports bags, bottle-cases, jewellery boxes, powder-boxes, cutlery cases and similar containers, of leather or of composition leather, of sheeting of plastic, of textile materials, of vulcanized fibre, or of paperboard, or wholly or mainly covered with such materials, or with paper.	QVC 40% or CC
42.03		Articles of apparel and clothing accessories, of leather or of composition leather.	QVC 40% or CC
Chapter 43 Furskins and artificial fur; manufactures thereof			
43.03		Articles of apparel, clothing accessories and other articles of furskin.	
	4303.10	- Articles of apparel and clothing accessories	QVC 40% or CC
Chapter 48 Paper and paperboard; articles of paper pulp, of paper or of paperboard			
48.23		Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres.	

	4823.20	-Filter paper and paperboard	QVC 40% or CTH, except from subheading 4805.40
	4823.90	-Other	QVC 40% or CTSH
Chapter 50 Silk			
50.01		Silk-worm cocoons suitable for reeling.	CC
50.05		Yarn spun from silk waste, not put up for retail sale.	CTH except from headings 50.05 through 50.06
50.06		Silk yarn and yarn spun from silk waste, put up for retail sale; silk-worm gut.	CTH except from headings 50.05 through 50.06
50.07		Woven fabrics of silk or of silk waste.	CTH, provided that, where non-originating materials of heading 50.04 through 50.06 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 50.07, provided that the good is dyed or printed and that the non-originating material of heading 50.07 is woven in the territory of either Party
Chapter 51 Wool, fine or coarse animal hair; horsehair yarn and woven fabric			
51.01		Wool, not carded or combed.	CC
51.02		Fine or coarse animal hair, not carded or combed.	CC
51.04		Garnetted stock of wool or of fine or coarse animal hair.	CC
51.05		Wool and fine or coarse animal hair, carded or combed (including combed wool in fragments).	CC
51.06		Yarn of carded wool, not put up for retail sale.	CTH, except from heading 51.07, 51.08, 51.09 and 51.10 provided that, where non-originating materials of heading 51.05 are used, each of the non-originating materials is carded or combed in the territory

			either Party.
51.07		Yarn of combed wool, not put up for retail sale.	CTH, except from heading 51.06, 51.08, 51.09 and 51.10 provided that, where non-originating materials of heading 51.05 are used, each of the non-originating materials is carded or combed in the territory of either Party.
51.08		Yarn of fine animal hair (carded or combed), not put up for retail sale.	CTH, except from heading 51.06, 51.07, 51.09 and 51.10 provided that, where non-originating materials of heading 51.05 are used, each of the non-originating materials is carded or combed in the territory of either Party.
51.09		Yarn of wool or of fine animal hair, put up for retail sale.	CTH, except from heading 51.06, 51.07, 51.08 and 51.10 provided that, where non-originating materials of heading 51.05 are used, each of the non-originating materials is carded or combed in the territory of either Party.
51.10		Yarn of coarse animal hair or of horsehair (including gimped horsehair yarn), whether or not put up for retail sale.	CTH, except from heading 51.06, 51.07, 51.08 and 51.09 provided that, where non-originating materials of heading 51.05 are used, each of the non-originating materials is carded or combed in the territory of either Party.

51.11		Woven fabrics of carded wool or of carded fine animal hair.	CTH, except from heading 51.12 and 51.13 provided that, where non-originating materials of heading 51.06 through 51.10 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory either Party.; or No required change in tariff classification to heading 51.11 through 51.13, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of the Party.
51.12		Woven fabrics of combed wool or of combed fine animal hair.	CTH, except from heading 51.11 and 51.13 provided that, where non-originating materials of heading 51.06 through 51.10 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory the Party; or No required change in tariff classification to heading 51.11 through 51.13, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of the either Party.

51.13		Woven fabrics of coarse animal hair or of horsehair.	CTH, except from heading 51.11 and 51.12 provided that, where non-originating materials of heading 51.06 through 51.10 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 51.11 through 51.13, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
Chapter 52 Cotton			
52.01		Cotton, not carded or combed.	CC
52.02		Cotton waste (including yarn waste and garnetted stock).	CC
52.03		Cotton, carded or combed.	CC
52.04		Cotton sewing thread, whether or not put up for retail sale.	CTH
52.05		Cotton yarn (other than sewing thread), containing 85% or more by weight of cotton, not put up for retail sale.	CTH
52.06		Cotton yarn (other than sewing thread), containing less than 85% by weight of cotton, not put up for retail sale.	CTH
52.07		Cotton yarn (other than sewing thread) put up for retail sale.	CTH
Chapter 53 Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn			
53.01		Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garnetted stock).	CC
53.02		True hemp (<i>cannabis sativa l.</i>), raw or processed but not spun; tow and waste of true hemp (including yarn waste and garnetted stock).	CC
53.03		Jute and other textile bast fibres (excluding flax, true hemp and ramie), raw or processed but not spun; tow and waste of these fibres (including yarn waste and garnetted stock).	CC

53.05		Coconut, abaca (<i>manila hemp or musa textilis nee</i>), ramie and other vegetable textile fibres, not elsewhere specified or included, raw or processed but not spun; tow, noils and waste of these fibres (including yarn waste and garnetted stock).	CC
53.06		Flax yarn.	CTH
53.07		Yarn of jute or of other textile bast fibres of heading 53.03.	CTH
53.08		Yarn of other vegetable textile fibres; paper yarn.	CTH
53.09		Woven fabrics of flax.	CTH, except from heading 53.10 or 53.11, provided that, where non-originating materials of heading 53.06 through 53.08 are used, each of the non-originating materials is spun, or dyed or printed entirely in either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
53.10		Woven fabrics of jute or of other textile bast fibres of heading 53.03.	CTH, except from heading 53.09 or 53.11, provided that, where non-originating materials of heading 53.06 through 53.08 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.

53.11		Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn.	CTH, provided that, where non-originating materials of heading 53.06 through 53.08 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
Chapter 54 Man-made filaments; strip and the like of man-made textile materials			
54.01		Sewing thread of man-made filaments, whether or not put up for retail sale.	CC
54.02		Synthetic filament yarn (other than sewing thread), not put up for retail sale, including synthetic monofilament of less than 67 decitex.	CC
54.03		Artificial filament yarn (other than sewing thread), not put up for retail sale, including artificial monofilament of less than 67 decitex.	CC
54.04		Synthetic monofilament of 67 decitex or more and of which no cross-sectional dimension exceeds 1 mm; strip and the like (for example, artificial straw) of synthetic textile materials of an apparent width not exceeding 5 mm.	CC
54.05		Artificial monofilament of 67 decitex or more and of which no cross-sectional dimension exceeds 1 mm; strip and the like (for example, artificial straw) of artificial textile materials of an apparent width not exceeding 5 mm.	CC
54.06		Man-made filament yarn (other than sewing thread), put up for retail sale.	CC
54.07		Woven fabrics of synthetic filament yarn, including woven fabrics obtained from materials of heading 54.04.	CTH except from heading 54.08, provided that, where non-originating materials of heading 54.01 through 54.06 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either

			Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
54.08		Woven fabrics of artificial filament yarn including woven fabrics obtained from materials of heading 54.05.	CTH except from heading 54.08, provided that, where non-originating materials of heading 54.01 through 54.06 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
Chapter 55 Man-Made Staple Fibres			
55.01		Synthetic filament tow.	CC
55.02		Artificial filament tow.	CC
55.03		Synthetic staple fibres, not carded, combed or otherwise processed for spinning.	CC
55.04		Artificial staple fibres, not carded, combed or otherwise processed for spinning.	CC
55.05		Waste (including noils, yarn waste and garnetted stock) of man-made fibres.	CC
55.06		Synthetic staple fibres, carded, combed or otherwise processed for spinning.	CC
55.07		Artificial staple fibres, carded, combed or otherwise processed for spinning.	CC
55.08		Sewing thread of man-made staple fibres, whether or not put up for retail sale.	CTH except from heading 55.09, 55.10 or 55.11, provided that, where non-originating materials of heading 55.06 through 55.07 are used, each of the non-originating materials is carded or combed in the territory of either Party.

55.09		Yarn (other than sewing thread) of synthetic staple fibres, not put up for retail sale:	CTH except from heading 55.09, 55.10 or 55.11, provided that, where non-originating materials of heading 55.06 through 55.07 are used, each of the non-originating materials is carded or combed in the territory of either Party.
55.10		Yarn (other than sewing thread) of artificial staple fibres, not put up for retail sale.	CTH except from heading 55.08, 55.09 or 55.11, provided that, where non-originating materials of heading 55.06 through 55.07 are used, each of the non-originating materials is carded or combed in the territory of either Party.
55.11		Yarn (other than sewing thread) of man-made staple fibres, put up for retail sale.	CTH except from heading 55.09, 55.10 or 55.11, provided that, where non-originating materials of heading 55.06 through 55.07 are used, each of the non-originating materials is carded or combed in the territory of either Party.
55.12		Woven fabrics of synthetic staple fibres, containing 85% or more by weight of synthetic staple fibres.	CTH except from heading 55.13, 55.14, 55.15 or 55.16, provided that, where non-originating materials of heading 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.

55.13		Woven fabrics of synthetic staple fibres, containing less than 85% by weight of such fibres, mixed mainly or solely with cotton, of a weight not exceeding 170 g/m ² .	CTH except from heading 55.09, 55.10 or 55.11, provided that, where non-originating materials of heading 55.06 through 55.07 are used, each of the non-originating materials is carded or combed in the territory of either Party.
55.14		Woven fabrics of synthetic staple fibres, containing less than 85% by weight of such fibres, mixed mainly or solely with cotton, of a weight exceeding 170 g/m ² .	CTH except from heading 55.12, 55.13, 55.15 or 55.16, provided that, where non-originating materials of heading 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.
55.15		Other woven fabrics of synthetic staple fibres.	CC
55.16		Woven fabrics of artificial staple fibres.	CTH except from heading 55.12, 55.13, 55.14 or 55.15, provided that, where non-originating materials of heading 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required CTH, provided that the good is dyed or printed and that the non-originating material of that group is woven in the territory of either Party.

Chapter 56
Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof

56.01		Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps.	CC, except from heading 50.04 through 50.07, 51.06 through 51.13, 52.04 through 52.12, 53.06 through 53.11, 55.08 through 55.16 or chapter 54.
56.02		Felt, whether or not impregnated, coated, covered or laminated.	CC, except from heading 50.04 through 50.07, 51.06 through 51.13, 52.04 through 52.12, 53.06 through 53.11, 55.08 through 55.16 or chapter 54.
56.03		Nonwovens, whether or not impregnated, coated, covered or laminated.	CC, except from heading 50.04 through 50.07, 51.06 through 51.13, 52.04 through 52.12, 53.06 through 53.11, 55.08 through 55.16 or chapter 54.
56.04		Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading 54.04 or 54.05, impregnated, coated, covered or sheathed with rubber or plastics.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
56.05		Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading 54.04 or 54.05, combined with metal in the form of thread, strip or powder or covered with metal.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Country

56.06		Gimped yarn, and strip and the like of heading 54.04 or 54.05, gimped (other than those of heading 56.05 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
56.07		Twine, cordage, ropes and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Country
56.08		Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
56.09		Articles of yarn, strip or the like of heading 54.04 or 54.05, twine, cordage, rope or cables, not elsewhere specified or included.	CC provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Country

Chapter 57
Carpets and other textile floor coverings

57.01		Carpets and other textile floor coverings, knotted, whether or not made up.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
57.02		Carpets and other textile floor coverings, woven, not tufted or flocked, whether or not made up, including "Kelem", "Schumacks", "Karamanie" and similar hand-woven rugs.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.

57.03		Carpets and other textile floor coverings, tufted, whether or not made up.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
57.04		Carpets and other textile floor coverings, of felt, not tufted or flocked, whether or not made up.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
57.05		Other carpets and other textile floor coverings, whether or not made up.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of

			the non-originating materials is spun entirely in the territory of either Party.
Chapter 58 Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery			
58.01		Woven pile fabrics and chenille fabrics, other than fabrics of heading 58.02 or 58.06.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.02		Terry towelling and similar woven terry fabrics, other than narrow fabrics of heading 58.06; tufted textile fabrics, other than products of heading 57.03.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.

58.03		Gauze, other than narrow fabrics of heading 58.06.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.04		Tulles and other net fabrics, not including woven, knitted or crocheted fabrics; lace in the piece, in strips or in motifs, other than fabrics of heading 60.02 to 60.06.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.05		Hand-woven tapestries of the types Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.06		Narrow woven fabrics, other than goods of heading 58.07; narrow fabrics consisting of warp without weft assembled by means of an adhesive (bolducs).	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.

58.07		Labels, badges and similar articles of textile materials, in the piece, in strips or cut to shape or size, not embroidered.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.08		Braids in the piece; ornamental trimmings in the piece, without embroidery, other than knitted or crocheted; tassels, pompons and similar articles.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.09		Woven fabrics of metal thread and woven fabrics of metallised yarn of heading 56.05, of a kind used in apparel, as furnishing fabrics or for similar purposes, not elsewhere specified or included.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
58.10		Embroidery in the piece, in strips or in motifs.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Country.

58.11		Quilted textile products in the piece, composed of one or more layers of textile materials assembled with padding by stitching or otherwise, other than embroidery of heading 58.10.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
Chapter 59 Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use			
59.01		Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.02		Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon.	CTH, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
59.03		Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 59.02.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.

59.04		Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.05		Textile wall coverings.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.06		Rubberised textile fabrics, other than those of heading 59.02.	
	5906.10	- Adhesive tape of a width not exceeding 20 cm	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.07		Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.08		Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.
59.09		Textile hose piping and similar textile tubing, with or without lining, armour or accessories of other materials.	CC, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16.

59.10		Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material foundations.	CTH, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
59.11		Textile products and articles, for technical uses, specified in Note 7 to this Chapter.	CTH, except from heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08 or 55.12 through 55.16, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun entirely in the territory of either Party.
<p>Chapter 60 Knitted and crocheted fabrics</p>			

60.01		<p>Pile fabrics, including "long pile" fabrics and terry fabrics, knitted or crocheted.</p>	<p>CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.</p>
60.02		<p>Knitted or crocheted fabrics of a width not exceeding 30 cm, containing by weight 5% or more of elastomeric yarn or rubber thread, other than those of heading 60.01.</p>	<p>CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.</p>

60.03		Knitted or crocheted fabrics of a width not exceeding 30 cm, other than those of heading 60.01 or 60.02.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.
60.04		Knitted or crocheted fabrics of a width exceeding 30 cm, containing by weight 5% or more of elastomeric yarn or rubber thread, other than those of heading 60.01.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.

60.05		Warp knit fabrics (including those made on galloon knitting machines), other than those of heading 60.01 to 60.04.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.
60.06		Other knitted or crocheted fabrics.	CC, provided that, where non-originating materials of heading 50.04 through 50.06, 51.06 through 51.10, 52.04 through 52.07, 53.06 through 53.08, 54.01 through 54.06 or 55.08 through 55.11 are used, each of the non-originating materials is spun, or dyed or printed entirely in the territory of either Party; or No required change in tariff classification to heading 60.01 through 60.06, provided that the good is dyed or printed and that the non-originating material of that group is knitted or crocheted in the territory of either Party.
Chapter 61 Articles of apparel and clothing accessories, knitted or crocheted			

61.01		Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 61.03.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.02		Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 61.04.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.03		Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.04		Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.

61.05		Men's or boys' shirts, knitted or crocheted.	Agreed . CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.06		Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.07		Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.08		Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either

			Party.
61.09		T-shirts, singlets and other vests, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.10		Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.11		Babies' garments and clothing accessories, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.

61.12		Track suits, ski suits and swimwear, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.13		Garments, made up of knitted or crocheted fabrics of heading 59.03, 59.06 or 59.07.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.14		Other garments, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.15		Panty hose, tights, stockings, socks and other hosiery, including graduated compression hosiery (for example, stockings, for varicose veins) and footwear without applied soles, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.

61.16		Gloves, mittens and mitts, knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
61.17		Other made up clothing accessories, knitted or crocheted; knitted or crocheted parts of garments or of clothing accessories.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is knitted or crocheted in the territory of either Party.
Chapter 62 Articles of apparel and clothing accessories, not knitted or crocheted			
62.01		Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading 62.03.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.02		Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading 62.04.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is

			woven in the territory of either Party.
62.03		Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear).	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.04		Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear).	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.05		Men's or boys' shirts.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.

62.06		Women's or girls' blouses, shirts and shirt-blouses.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.07		Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.08		Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negliges, bathrobes, dressing gowns and similar articles.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.09		Babies' garments and clothing accessories.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.

62.10		Garments, made up of fabrics of heading 56.02, 56.03, 59.03, 59.06 or 59.07.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.11		Track suits, ski suits and swimwear; other garments.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven in the territory of either Party.
62.12		Brassières, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, whether or not knitted or crocheted.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
62.13		Handkerchiefs.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.

62.14		Shawls, scarves, mufflers, mantillas, veils and the like.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party
62.15		Ties, bow ties and cravats.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
62.16		Gloves, mittens and mitts.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
62.17		Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading 62.12.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.

Chapter 63 Other made up textile articles; sets; worn clothing and worn textile articles; rags			
I. OTHER MADE UP TEXTILE ARTICLES			
63.01		Blankets and travelling rugs.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.02		Bed linen, table linen, toilet linen and kitchen linen.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.03		Curtains (including drapes) and interior blinds; curtain or bed valances.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.

63.04		Other furnishing articles, excluding those of heading 94.04.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.05		Sacks and bags, of a kind used for the packing of goods.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.06		Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.07		Other made up articles, including dress patterns.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.

II. SETS			
63.08		Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
III. WORN CLOTHING AND WORN TEXTILE ARTICLES; RAGS			
63.09		Worn clothing and other worn articles.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
63.10		Used or new rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables, of textile materials.	CC, provided that, where non-originating materials of heading 50.07, 51.11 through 51.13, 52.08 through 52.12, 53.09 through 53.11, 54.07 through 54.08, 55.12 through 55.16 or chapter 60 are used, each of the non-originating materials is woven, or knitted or crocheted in the territory of either Party.
Chapter 65 Headgear and parts thereof			
65.01		Hat-forms, hat bodies and hoods of felt, neither blocked to shape nor with made brims; plateaux and manchons (including slit manchons), of felt.	QVC 40% or CC

65.02		Hat-shapes, plaited or made by assembling strips of any material, neither blocked to shape, nor with made brims, nor lined, nor trimmed.	QVC 40% or CC
Chapter 69 Ceramic products			
I. GOODS OF SILICEOUS FOSSIL MEALS OR OF SIMILAR SILICEOUS EARTHS, AND REFRACTORY GOODS			
69.01		Bricks, blocks, tiles and other ceramic goods of siliceous fossil meals (for example, kieselguhr, tripolite or diatomite) or of similar siliceous earths.	CTH
69.02		Refractory bricks, blocks, tiles and similar refractory ceramic constructional goods, other than those of siliceous fossil meals or similar siliceous earths.	CC
69.03		Other refractory ceramic goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than those of siliceous fossil meals or of similar siliceous earths.	CC
II. OTHER CERAMIC PRODUCTS			
69.04		Ceramic building bricks, flooring blocks, support or filler tiles and the like.	CC
69.05		Roofing tiles, chimney-pots, cowls, chimney liners, architectural ornaments and other ceramic constructional goods.	CC
69.07		Unglazed ceramic flags and paving, hearth or wall tiles; unglazed ceramic mosaic cubes and the like, whether or not on a backing.	CC
69.08		Glazed ceramic flags and paving, hearth or wall tiles; glazed ceramic mosaic cubes and the like, whether or not on a backing.	CC
69.10		Ceramic sinks, wash basins, wash basin pedestals, baths, bidets, water closet pans, flushing cisterns, urinals and similar sanitary fixtures.	CC
69.11		Tableware, kitchenware, other household articles and toilet articles, of porcelain or china.	CC
69.12		Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china.	CC
Chapter 70 Glass and glassware			

70.08		Multiple-walled insulating units of glass.	CTH except from heading 70.03 through 70.07
70.09		Glass mirrors, whether or not framed, including rear-view mirrors.	CTH except from heading 70.03 through 70.08
Chapter 71 Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin			
I. - NATURAL OR CULTURED PEARLS AND PRECIOUS OR SEMI-PRECIOUS STONES			
71.01		Pearls, natural or cultured, whether or not worked or graded but not strung, mounted or set; pearls, natural or cultured, temporarily strung for convenience of transport.	
	7101.10	- Natural pearls	CC
		- Cultured pearls:	
	7101.21	-- Unworked	CC
	7101.22	-- Worked	QVC 40% or CTSH
71.02		Diamonds, whether or not worked, but not mounted or set.	
	7102.10	- Unsorted	CC
		- Industrial:	
	7102.21	-- Unworked or simply sawn, cleaved or bruted	CC
	7102.29	-- Other	CTSH
		- Non-industrial:	
	7102.31	-- Unworked or simply sawn, cleaved or bruted	CC
	7102.39	-- Other	CTSH
71.03		Precious stones (other than diamonds) and semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded precious stones (other than diamonds) and semi-precious stones, temporarily strung for convenience of transport.	
	7103.10	- Unworked or simply sawn or roughly shaped	QVC 40% or CC
		- Otherwise worked:	
	7103.91	-- Rubies, sapphires and emeralds	QVC 40% or CTSH
	7103.99	-- Other	QVC 40% or CTSH
71.04		Synthetic or reconstructed precious or semi-precious stones, whether or not worked or graded but not strung, mounted or set; ungraded synthetic or reconstructed precious or semi-precious stones, temporarily strung for convenience of transport.	
	7104.90	- Other	CTSH

II. – PRECIOUS METALS AND METALS CLAD WITH PRECIOUS METAL			
71.06		Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form.	QVC 40% or CC
71.07		Base metals clad with silver, not further worked than semi-manufactured	CC
71.08		Gold (including gold plated with platinum) unwrought or in semi-manufactured forms, or in powder form.	CC
71.09		Base metals or silver, clad with gold, not further worked than semi-manufactured.	CC
71.10		Platinum, unwrought or in semi-manufactured forms, or in powder form.	CC
71.11		Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured.	CC
Chapter 72 Iron and steel			
II. IRON AND NON-ALLOY STEEL			
72.07		Semi-finished products of iron or non-alloy steel.	QVC 40% or CC
72.08		Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated.	QVC 40% or CC
72.09		Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated.	QVC 40% or CTH, except from heading 72.08 or 72.11
72.10		Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated.	QVC 40% or CTH, except from heading 72.08, 72.09 or 72.11
72.11		Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, not clad, plated or coated.	QVC 40% or CC
72.12		Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, clad, plated or coated.	QVC 40% or CTH, except from headings 72.08 through 72.11
72.13		Bars and rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel.	QVC 40% or CC
72.14		Other bars and rods of iron or non-alloy steel, not further worked than forged, hot-rolled, hot-drawn or hot-extruded, but including those twisted after rolling.	QVC 40% or CC
72.15		Other bars and rods of iron or non-alloy steel.	QVC 40% or CC
72.16		Angles, shapes and sections of iron or non-alloy steel.	QVC 40% or CC

72.17		Wire of iron or non-alloy steel.	QVC 40% or CTH, except from headings 72.13 through 72.15
III - STAINLESS STEEL			
72.20		Flat-rolled products of stainless steel, of a width of less than 600 mm.	QVC 40% or CTH, except from heading 72.19
72.26		Flat-rolled products of other alloy steel, of a width of less than 600 mm.	QVC 40% or CTH, except from heading 72.25
72.27		Bars and rods, hot-rolled, in irregularly wound coils, of other alloy steel.	QVC 40% or CTH, except from heading 72.28
72.28		Other bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel.	QVC 40% or CTH, except from heading 72.27
72.29		Wire of other alloy steel.	QVC 40% or CTH, except from heading 72.27 or 72.28
Chapter 73 Articles of iron or steel			
73.01		Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements; welded angles, shapes and sections, of iron or steel.	QVC 40% or CC, except from headings 72.07 through 72.09 or 72.11
73.02		Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plate), rail chip, bedplates, ties and other material specialised for jointing or fixing rails.	QVC 40% or CC, except from headings 72.07 through 72.09
73.03		Tubes, pipes and hollow profiles, of cast iron.	QVC 40% or CC
73.04		Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel.	
		- Line pipe of a kind used for oil or gas pipelines:	
	7304.19	-- Other	QVC 40% or CC, except from headings 72.07 through 72.11
		- Casing, tubing and drill pipe, of a kind used in drilling for oil or gas:	
	7304.23	-- Other drill pipe	QVC 40% or CC, except from headings 72.07 through 72.11
	7304.29	-- Other	QVC 40% or CC, except from headings 72.07

			through 72.11
		- Other, of circular cross-section, of iron or non-alloy steel:	
	7304.31	- - Cold-drawn or cold-rolled (cold-reduced)	QVC 40% or CC, except from headings 72.07 through 72.11
	7304.39	-- Other	QVC 40% or CC, except from headings 72.07 through 72.11
		- Other, of circular cross-section, of other alloy steel:	
	7304.51	- - Cold-drawn or cold-rolled (cold-reduced)	QVC 40% or CC, except from headings 72.07 through 72.11
	7304.59	-- Other	QVC 40% or CC, except from headings 72.07 through 72.11
	7304.90	- Other	QVC 40% or CC, except from headings 72.07 through 72.11
73.05		Other tubes and pipes (for example, welded, riveted or similarly closed), having circular cross-sections, the external diameter of which exceeds 406.4 mm, of iron or steel.	QVC 40% or CC, except from headings 72.08 through 72.11
73.06		Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel.	
		- Line pipe of a kind used for oil or gas pipelines:	
	7306.19	-- Other	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
		- Casing and tubing of a kind used in drilling for oil or gas:	
	7306.29	-- Other	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
	7306.30	- Other, welded, of circular cross-section, of iron or non-alloy steel	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
		- Other, welded, of non-circular cross-section:	
	7306.61	-- Of square or rectangular cross-section	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
	7306.69	-- Other	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
	7306.90	- Other	QVC 40% or CC, except from heading 72.08, 72.09 or 72.11
73.07		Tube or pipe fittings (for example, couplings, elbows, sleeves), of iron or	QVC 40% or CC

		steel.	
73.08		Structures (excluding prefabricated buildings of heading 94.06) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel.	QVC 40% or CTH, except from headings 72.08 through 72.12 or 72.16
73.09		Reservoirs, tanks, vats and similar containers for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300l, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment.	QVC 40% or CC
73.10		Tanks, casks, drums, cans, boxes and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity not exceeding 300l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment.	QVC 40% or CC
73.11		Containers for compressed or liquefied gas, of iron or steel.	QVC 40% or CC
73.12		Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated.	
	7312.10	- Stranded wire, ropes and cables	QVC 40% or CC, except from heading 72.13 or 72.17
	7312.90	- Other	QVC 40%
73.13		Barbed wire of iron or steel; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of a kind used for fencing, of iron or steel.	QVC 40% or CC
73.14		Cloth (including endless bands), grill, netting and fencing, of iron or steel wire; expanded metal of iron or steel.	QVC 40% or CC
73.15		Chain and parts thereof, of iron or steel.	QVC 40% or CC, except from heading 72.13 or 72.17
73.16		Anchors, grapnels and parts thereof, of iron or steel.	QVC 40% or CC
73.17		Nails, tacks, drawing pins, corrugated nails, staples (other than those of heading 83.05) and similar articles, of iron or steel, whether or not with heads of other material, but excluding such articles with heads of copper.	QVC 40% or CC, except from headings 72.13 through 72.17

73.18		Screws, bolts, nuts, coach screws, screw hooks, rivets, cotters, cotter-pins, washers (including spring washers) and similar articles, of iron or steel.	QVC 40% or CC
73.19		Sewing needles, knitting needles, bodkins, crochet hooks, embroidery stiletos and similar articles, for use in the hand, of iron or steel; safety pins and other pins of iron or steel, not elsewhere specified or included.	QVC 40% or CC
73.20		Springs and leaves for springs, of iron or steel.	QVC 40% or CC, except from headings 72.08 through 72.17
73.21		Stoves, ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas-rings, plate warmers and similar non-electric domestic appliances, and parts thereof, of iron or steel.	
		-Cooking appliances and plate warmers:	
	7321.11	- - For gas fuel or for both gas and other fuels	QVC 40% or CTSH
	7321.12	- - For liquid fuel	QVC 40% or CTSH
	7321.19	- - Other, including appliances for solid fuel	QVC 40% or CTSH
		-Other appliances:	
	7321.81	- - For gas fuel or for both gas and other fuels	QVC 40% or CTSH
	7321.82	- - For liquid fuel	QVC 40% or CTSH
	7321.89	- - Other, including appliances for solid fuel	QVC 40% or CTSH
Chapter 74 Copper and articles thereof			
74.08		Copper wire.	QVC 40% or CTH, except from heading 74.07
74.13		Stranded wire, cables, plaited bands and the like, of copper, not electrically insulated.	QVC 40% or CTH, except from heading 74.08
Chapter 76 Aluminium and articles thereof			
76.05		Aluminium wire.	QVC 40% or CTH, except from heading 76.04
76.07		Aluminium foil (whether or not printed or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm.	QVC 40% or CTH, except from heading 76.06

76.14		Stranded wire, cables, plaited bands and the like, of aluminium, not electrically insulated.	QVC 40% or CTH, except from heading 76.05
Chapter 81 Other base metals; cermets; articles thereof			
81.01		Tungsten (wolfram) and articles thereof, including waste and scrap.	
	8101.10	-Powders	CC
		-Other:	
	8101.94	-- Unwrought tungsten, including bars and rods obtained simply by sintering	CC
	8101.96	-- Wire	CTSH
	8101.99	-- Other	CTSH
81.02		Molybdenum and articles thereof, including waste and scrap.	
	8102.10	-Powders	CC
		-Other:	
	8102.94	-- Unwrought molybdenum, including bars and rods obtained simply by sintering	CC
	8102.95	-- Bars and rods, other than those obtained simply by sintering, profiles, plates, sheets, strip and foil	CTSH
	8102.96	-- Wire	CTSH
	8102.99	-- Other	CTSH
81.03		Tantalum and articles thereof, including waste and scrap.	
	8103.20	-Unwrought tantalum, including bars and rods obtained simply by sintering; powders	CTSH
	8103.90	-Other	CTSH
81.04		Magnesium and articles thereof, including waste and scrap.	
		-Unwrought magnesium:	
	8104.11	-- Containing at least 99.8% by weight of magnesium	CC
	8104.19	-- Other	CC
	8104.30	-Raspings, turnings and granules, graded according to size; powders	CTSH
	8104.90	-Other	CTSH
81.05		Cobalt mattes and other intermediate products of cobalt metallurgy; cobalt and articles thereof, including waste and scrap.	
	8105.20	-Cobalt mattes and other intermediate products of cobalt metallurgy; unwrought cobalt; powders	CTSH
	8105.90	-Other	CTSH
81.07		Cadmium and articles thereof, including waste and scrap.	CTSH
81.08		Titanium and articles thereof, including waste and scrap.	

	8108.20	-Unwrought titanium; powders	CC
	8108.90	-Other	CTSH
81.09		Zirconium and articles thereof, including waste and scrap.	
	8109.20	-Unwrought zirconium; powders	CTSH
	8109.90	-Other	CTSH
81.10		Antimony and articles thereof, including waste and scrap.	
	8110.10	-Unwrought antimony; powders	CTSH
	8110.90	-Other	CTSH
81.11		Manganese and articles thereof, including waste and scrap.	CC
81.12		Beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium), rhenium and thallium, and articles of these metals, including waste and scrap.	
		-Beryllium:	
	8112.12	-- Unwrought; powders	CC
	8112.19	-- Other	CTSH
		-Chromium:	
	8112.21	-- Unwrought; powders	CTSH
	8112.29	-- Other	CTSH
		-Thallium:	
	8112.51	-- Unwrought powders	CTSH
	8112.59	-- Other	CTSH
		-Other:	
	8112.92	-- Unwrought; waste and scrap; powders	CTSH
	8112.99	-- Other	CTSH
81.13		Cermets and articles thereof, including waste and scrap.	CC
Chapter 82			
Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal			
82.01		Hand tools, the following: spades, shovels, mattocks, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; secateurs and pruners of any kind; scythes, sickles, hay knives, hedge shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry.	CC
82.02		Hand saws; blades for saws of all kinds (including slitting, slotting or toothless saw blades).	CC
82.03		Files, rasps, pliers (including cutting pliers), pincers, tweezers, metal cutting shears, pipe-cutters, bolt croppers, perforating punches and similar hand tools.	CC
82.04		Hand-operated spanners and wrenches (including torque meter wrenches but not including tap wrenches); interchangeable spanner sockets, with or without handles.	CC

82.05		Hand tools (including glaziers' diamonds), not elsewhere specified or included; blow lamps; vices, clamps and the like, other than accessories for and parts of, machine-tools; anvils; portable forges; hand- or pedal-operated grinding wheels with framework.	CC
82.06		Tools of two or more of heading 82.02 to 82.05, put up in sets for retail sale.	CC
82.07		Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning or screw driving), including dies for drawing or extruding metal, and rock drilling or earth boring tools.	CC
82.08		Knives and cutting blades, for machines or for mechanical appliances.	CC
82.09		Plates, sticks, tips and the like for tools, unmounted, of cermets.	CC
82.10		Hand-operated mechanical appliances, weighing 10 kg or less, used in the preparation, conditioning or serving of food or drink.	CC
82.11		Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading 82.08, and blades therefor.	CC
82.12		Razors and razor blades (including razor blade blanks in strips).	CC
82.13		Scissors, tailors' shears and similar shears, and blades therefor.	CC
82.14		Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files).	CC
82.15		Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware.	CC
Chapter 83 Miscellaneous articles of base metal			
83.01		Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys for any of the foregoing articles, of base metal.	
	8301.10	- Padlocks	QVC 40% or CTSH
	8301.20	- Locks of a kind used for motor vehicles	QVC 40% or CTSH
	8301.30	- Locks of a kind used for furniture	QVC 40% or CTSH
	8301.40	- Other locks	QVC 40% or CTSH

	8301.50	- Clasps and frames with clasps, incorporating locks	QVC 40% or CTSH
	8301.60	- Parts	QVC 40% or CC
	8301.70	- Keys presented separately	QVC 40% or CC
83.05		Fittings for loose-leaf binders or files, letter clips, letter corners, paper clips, indexing tags and similar office articles, of base metal; staples in strips (for example, for offices, upholstery, packaging), of base metal.	CTSH
Chapter 84 Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof			
84.01		Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation.	
	8401.10	-Nuclear reactors	CTSH
	8401.20	-Machinery and apparatus for isotopic separation, and parts thereof	CTSH
	8401.30	-Fuel elements (cartridges), non-irradiated	CTSH
84.02		Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers.	
		-Steam or other vapour generating boilers:	
	8402.11	- - Water tube boilers with a steam production exceeding 45 t per hour	QVC 40% or CTSH, except from subheading 8402.12
	8402.12	- - Water tube boilers with a steam production not exceeding 45 t per hour	QVC 40% or CTSH, except from subheading 8402.11
	8402.19	- - Other vapour generating boilers, including hybrid boilers	QVC 40% or CTSH
	8402.20	-Super-heated water boilers	QVC 40% or CTSH
84.03		Central heating boilers other than those of heading 84.02.	
	8403.10	-Boilers	CTSH
84.04		Auxiliary plant for use with boilers of heading 84.02 or 84.03 (for example, economisers, super-heaters, soot removers, gas recoverers); condensers for steam or other vapour power units.	
	8404.10	-Auxiliary plant for use with boilers of heading 84.02 or 84.03	CTSH
	8404.20	-Condensers for steam or other vapour power units	CTSH
84.05		Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers.	

	8405.10	-Producer gas or water gas generators, with or without their purifiers; acetylene gas generators and similar water process gas generators, with or without their purifiers	CTSH
84.06		Steam turbines and other vapour turbines.	
	8406.10	-Turbines for marine propulsion	CTSH
		-Other turbines:	
	8406.81	-- Of an output exceeding 40 MW	CTSH
	8406.82	-- Of an output not exceeding 40 MW	CTSH
84.10		Hydraulic turbines, water wheels, and regulators therefor.	
		-Hydraulic turbines and water wheels:	
	8410.11	-- Of a power not exceeding 1,000 kW	CTSH
	8410.12	-- Of a power exceeding 1,000 kW but not exceeding 10,000 kW	CTSH
	8410.13	-- Of a power exceeding 10,000 kW	CTSH
84.11		Turbo-jets, turbo-propellers and other gas turbines.	
		-Turbo-jets	
	8411.11	-- Of a thrust not exceeding 25 kN	CTSH
	8411.12	-- Of a thrust exceeding 25 kN	CTSH
		-Turbo-propellers:	
	8411.21	-- Of a power not exceeding 1,100 kW	CTSH
	8411.22	-- Of a power exceeding 1,100 kW	CTSH
		-Other gas turbines:	
	8411.81	-- Of a power not exceeding 5,000 kW	CTSH
	8411.82	-- Of a power exceeding 5,000 kW	CTSH
84.12		Other engines and motors.	
	8412.10	-Reaction engines other than turbo-jets	CTSH
		-Hydraulic power engines and motors:	
	8412.21	-- Linear acting (cylinders)	CTSH
	8412.29	-- Other	CTSH
		-Pneumatic power engines and motors:	
	8412.31	-- Linear acting (cylinders)	CTSH
	8412.39	-- Other	CTSH
	8412.80	-Other	CTSH
84.13		Pumps for liquids, whether or not fitted with a measuring device; liquid elevators.	
		-Pumps fitted or designed to be fitted with a measuring device:	
	8413.11	-- Pumps for dispensing fuel or lubricants, of the type used in filling-stations or in garages	QVC 40% or CTSH
	8413.19	-- Other	QVC 40% or CTSH
	8413.20	-Hand pumps, other than those of subheading 8413.11 or 8413.19	QVC 40% or CTSH
	8413.30	-Fuel, lubricating or cooling medium pumps for internal combustion piston	QVC 40% or CTSH

		engines	
	8413.40	-Concrete pumps	QVC 40% or CTSH
	8413.50	-Other reciprocating positive displacement pumps	QVC 40% or CTSH
	8413.60	-Other rotary positive displacement pumps	QVC 40% or CTSH
	8413.70	-Other centrifugal pumps	QVC 40% or CTSH
		-Other pumps; liquid elevators:	
	8413.81	-- Pumps	QVC 40% or CTSH
	8413.82	-- Liquid elevators	QVC 40% or CTSH
84.14		Air or vacuum pumps, air or other gas compressors and fans; ventilating or recycling hoods incorporating a fan, whether or not fitted with filters.	
	8414.10	-Vacuum pumps	QVC 40% or CTSH
	8414.20	-Hand-or foot-operated air pumps	QVC 40% or CTSH
	8414.30	-Compressors of a kind used in refrigerating equipment	QVC 40% or CTSH
	8414.40	-Air compressors mounted on a wheeled chassis for towing	QVC 40% or CTSH
		-Fans:	
	8414.51	-- Table, floor, wall, window, ceiling or roof fans, with a self-contained electric motor of an output not exceeding 125 w	QVC 40% or CTSH
	8414.59	-- Other	QVC 40% or CTSH
	8414.60	-Hoods having a maximum horizontal side not exceeding 120 cm;	QVC 40% or CTSH
	8414.80	-Other	QVC 40% or CTSH
84.15		Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated.	
	8415.10	-Window or wall types, self-contained or "split-system"	QVC 40% or CTSH
	8415.20	-Of a kind used for persons, in motor vehicles	QVC 40% or CTSH
		-Other:	
	8415.81	-- Incorporating a refrigerating unit and a valve for reversal of the cooling/heat cycle (reversible heat pumps)	QVC 40% or CTSH
	8415.82	-- Other, incorporating a refrigerating unit	QVC 40% or CTSH
	8415.83	-- Not incorporating a refrigerating unit	QVC 40% or CTSH
84.16		Furnace burners for liquid fuel, for pulverised solid fuel or for gas; mechanical stockers, including their mechanical grates, mechanical ash dischargers and similar appliances.	
	8416.10	-Furnace burners for liquid fuel	CTSH
	8416.20	-Other furnace burners, including combination burners	CTSH
	8416.30	-Mechanical stockers, including their mechanical grates, mechanical ash dischargers and similar appliances	CTSH

84.17		Industrial or laboratory furnaces and ovens, including incinerators, non-electric.	
	8417.10	-Furnaces and ovens for the roasting, melting or other heat-treatment of ores, pyrites or of metals	CTSH
	8417.20	-Bakery ovens, including biscuit ovens	CTSH
	8417.80	-Other	CTSH
84.20		Calendering or other rolling machines, other than for metals or glass, and cylinders therefor.	
	8420.10	-Calendering or other rolling machines;	QVC 40% or CTSH
84.21		Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus for liquids or gases.	
	8421.29	-- Other	QVC 40% or CTSH
	8421.39	-- Other	QVC 40% or CTSH
84.22		Dish washing machines; machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages	
		-Dish washing machines:	
	8422.11	-- Of the household type	QVC 40% or CTSH
84.24		Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances, steam or sand blasting machines and similar jet projecting machines.	
	8424.10	-Fire extinguishers, whether or not charged	QVC 40% or CTSH
	8424.20	-Spray guns and similar appliances	QVC 40% or CTSH
	8424.30	-Steam or sand blasting machines and similar jet projecting machines	QVC 40% or CTSH
		-Other appliances:	
	8424.81	-- Agricultural or horticultural	QVC 40% or CTSH
	8424.89	-- Other	QVC 40% or CTSH
84.38		Machinery, not specified or included elsewhere in this chapter, for the industrial preparation or manufacture of food or drink, other than machinery for the extraction or preparation of animal or fixed vegetable fats or oils.	
	8438.10	-Bakery machinery and machinery for the manufacture of macaroni, spaghetti or	CTSH

		similar products	
	8438.20	-Machinery for the manufacture of confectionery, cocoa or chocolate	CTSH
	8438.30	-Machinery for sugar manufacture	CTSH
	8438.40	-Brewery machinery	CTSH
	8438.50	-Machinery for the preparation of meat or poultry	CTSH
	8438.60	-Machinery for the preparation of fruits, nuts or vegetables	CTSH
	8438.80	-Other machinery	CTSH
84.39		Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard.	
	8439.10	-Machinery for making pulp of fibrous cellulosic material	CTSH
	8439.20	-Machinery for making paper or paperboard	CTSH
	8439.30	-Machinery for finishing paper or paperboard	CTSH
84.41		Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds.	
	8441.10	-Cutting machines	CTSH
	8441.20	-Machines for making bags, sacks or envelopes	CTSH
	8441.30	-Machines for making cartons, boxes, cases, tubes, drums or similar containers, other than by moulding	CTSH
	8441.40	-Machines for moulding articles in paper pulp, paper or paperboard	CTSH
	8441.80	-Other machinery	CTSH
84.42		Machinery, apparatus and equipment (other than the machine-tools of headings 84.56 to 84.65), for preparing or making plates, cylinders or other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished).	
	8442.30	-Machinery, apparatus and equipment	CTSH
	8442.50	-Plates, cylinders and other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)	CTSH
84.48		Auxiliary machinery for use with machines of heading 84.44, 84.45, 84.46 or 84.47 (for example, dobbies, Jacquards, automatic stop motions, shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 84.44, 84.45, 84.46 or 84.47 (for example, spindles and spindle flyers, card clothing,	

		combs, extruding nipples, shuttles, healds and heald-frames, hosiery needles).	
		- Auxiliary machinery for machines of heading 84.44, 84.45, 84.46 or 84.47:	
	8448.11	- - Dobbies and Jacquards; card reducing, copying, punching or assembling machines for use therewith	CTSH
	8448.19	- - Other	CTSH
84.52		Sewing machines, other than book-sewing machines of 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles.	
	8452.10	-Sewing machines of the household type	CTSH
		-Other sewing machines:	
	8452.21	- - Automatic units	CTSH
	8452.29	-Other sewing machines: - - Other	CTSH
	8452.30	-Sewing machine needles	CTSH
84.53		Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines.	
	8453.10	-Machinery for preparing, tanning or working hides, skins or leather	CTSH
	8453.20	-Machinery for making or repairing footwear	CTSH
	8453.80	-Other machinery	CTSH
84.55		Metal-rolling mills and rolls therefor:	
	8455.10	-Tube mills	CTSH
		-Other rolling mills:	
	8455.21	- - Hot or combination hot and cold	CTSH
	8455.22	- - Cold	CTSH
	8455.30	-Rolls for rolling mills	CTSH
84.67		Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor.	
		-Pneumatic:	
	8467.11	- - Rotary type (including combined rotary-percussion)	QVC 40% or CTSH
	8467.19	- - Other	QVC 40% or CTSH
		-With self-contained electric motor:	
	8467.21	- - Drills of all kinds	QVC 40% or CTSH
	8467.22	- - Saws	QVC 40% or CTSH
	8467.29	- - Other	QVC 40% or CTSH
		-Other tools:	
	8467.81	- - Chain saws	QVC 40% or CTSH
	8467.89	- - Other	QVC 40% or CTSH

84.68		Machinery and apparatus for soldering, brazing or welding, whether or not capable of cutting, other than those of heading 85.15; gas-operated surface tempering machines and appliances.	
	8468.10	-Hand-held blow pipes	CTSH
	8468.20	-Other gas-operated machinery and apparatus	CTSH
	8468.80	-Other machinery and apparatus	CTSH
84.71		Automatic data processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included.	QVC 40% or CTSH
84.74		Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand.	
	8474.10	-Sorting, screening, separating or washing machines	CTSH
	8474.20	-Crushing or grinding machines	CTSH
		- Mixing or kneading machines:	
	8474.31	-- Concrete or mortar mixers	QVC 40% or CTSH
	8474.32	-- Machines for mixing mineral substances with bitumen	CTSH
	8474.39	-- Other	CTSH
	8474.80	-Other machinery	CTSH
84.75		Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes; machines for manufacturing or hot working glass or glassware.	
	8475.10	-Machines for assembling electric or electronic lamps, tubes or valves or flashbulbs, in glass envelopes	CTSH
		-Machines for manufacturing or hot working glass or glassware:	
	8475.21	-- Machines for making optical fibres and preforms thereof	CTSH
	8475.29	-- Other	CTSH
84.76		Automatic goods-vending machines (for example, postage stamp, cigarette, food or beverage machines), including money-changing machines.	
		-Automatic beverage-vending machines:	

	8476.21	- - Incorporating heating or refrigerating devices	CTSH
	8476.29	-- Other	CTSH
		Other machines:	
	8476.81	- - Incorporating heating or refrigerating devices	CTSH
	8476.89	-- Other	CTSH
84.77		Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this Chapter.	
	8477.10	-Injection-moulding machines	CTSH
	8477.20	-Extruders	CTSH
	8477.30	-Blow moulding machines	CTSH
	8477.40	-Vacuum moulding machines and other thermoforming machines	CTSH
		-Other machinery for moulding or otherwise forming:	
	8477.51	- - For moulding or retreading pneumatic tyres or for moulding or otherwise forming inner tubes	CTSH
	8477.59	-- Other	CTSH
	8477.80	-Other machinery	CTSH
84.78		Machinery for preparing or making up tobacco, not specified or included elsewhere in this Chapter.	
	8478.10	-Machinery	CTSH
84.79		Machines and mechanical appliances having individual functions, not specified or included elsewhere in this Chapter.	
	8479.10	-Machinery for public works, building or the like	CTSH
	8479.20	-Machinery for the extraction or preparation of animal or fixed vegetable fats or oils	CTSH
	8479.30	-Presses for the manufacture of particle board or fibre building board of wood or other ligneous materials and other machinery for treating wood or cork	CTSH
	8479.40	-Rope or cable-making machines	CTSH
	8479.50	-Industrial robots, not elsewhere specified or included	CTSH
	8479.60	-Evaporative air coolers	CTSH
		-Other machines and mechanical appliances:	
	8479.81	- - For treating metal, including electric wire coil-winders	CTSH
	8479.82	- - Mixing, kneading, crushing, grinding, screening, sifting, homogenising, emulsifying or stirring machines	CTSH
	8479.89	-- Other	CTSH
84.81		Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves	

		and thermostatically controlled valves.	
	8481.10	-Pressure-reducing valves	QVC 40% or CTSH
	8481.20	-Valves for oleohydraulic or pneumatic transmissions	QVC 40% or CTSH
	8481.30	-Check (nonreturn) valves	QVC 40% or CTSH
	8481.40	- Safety or relief valves	QVC 40% or CTSH
	8481.80	- Other appliances	QVC 40% or CTSH
84.82		Ball or roller bearings.	
	8482.10	-Ball bearings	CTSH
	8482.20	-Tapered roller bearings, including cone and tapered roller assemblies	CTSH
	8482.30	-Spherical roller bearings	CTSH
	8482.40	-Needle roller bearings	CTSH
	8482.50	-Other cylindrical roller bearings	CTSH
	8482.80	-Other, including combined ball/roller bearings	CTSH
84.83		Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints).	QVC 40% or CTSH
84.86		Machines and apparatus of a kind used solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays; machines and apparatus specified in note 9 (C) to this Chapter; parts and accessories.	
	8486.10	-Machines and apparatus for the manufacture of boules or wafers	CTSH
	8486.20	-Machines and apparatus for the manufacture of semiconductor devices or of electronic integrated circuits	QVC 40% or CTSH
	8486.30	-Machines and apparatus for the manufacture of flat panel displays	CTSH
	8486.40	-Machines and apparatus specified in note 9 (C) to this Chapter	CTSH
84.87		Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter.	
	8487.10	-Ships' or boats' propellers and blades therefor	CTSH

Chapter 85
Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles

85.04		Electrical transformers, static converters (for example, rectifiers) and inductors.	
	8504.10	-Ballasts for discharge lamps or tubes	QVC 40% or CTSH
		-Liquid dielectric transformers:	
	8504.21	- - Having a power handling capacity not exceeding 650 kVA	QVC 40% or CTSH
	8504.22	- - Having a power handling capacity exceeding 650 kVA but not exceeding 10,000 kVA	QVC 40% or CTSH
	8504.23	- - Having a power handling capacity exceeding 10,000 kVA	QVC 40% or CTSH
		-Other transformers:	
	8504.31	- - Having a power handling capacity not exceeding 1 kVA	QVC 40% or CTSH
	8504.32	- - Having a power handling capacity exceeding 1 kVA but not exceeding 16 kVA	QVC 40% or CTSH
	8504.33	- - Having a power handling capacity exceeding 16 kVA but not exceeding 500 kVA	QVC 40% or CTSH
	8504.34	- - Having a power handling capacity exceeding 500 kVA	QVC 40% or CTSH
	8504.40	-Static converters	CTSH
	8504.50	-Other inductors	CTSH
85.05		Electro-magnets; permanent magnets and articles intended to become permanent magnets after magnetisation; electro-magnetic or permanent magnet chucks, clamps and similar holding devices; electro-magnetic couplings, clutches and brakes; electro-magnetic lifting heads.	
		-Permanent magnets and articles intended to become permanent magnets after magnetisation:	
	8505.11	- - Of metal	CTSH
	8505.19	- - Other	CTSH
	8505.20	-Electro-magnetic couplings, clutches and brakes	CTSH
85.06		Primary cells and primary batteries.	
	8506.10	-Manganese dioxide	CTSH
	8506.30	-Mercuric oxide	QVC 40% or CTSH
	8506.40	-Silver oxide	QVC 40% or CTSH
	8506.50	-Lithium	QVC 40% or CTSH
	8506.60	-Air-zinc	QVC 40% or CTSH
	8506.80	-Other primary cells and primary batteries	QVC 40% or CTSH
85.07		Electric accumulators, including separators therefor, whether or not rectangular (including square).	
	8507.10	-Lead-acid, of a kind used for starting piston engines	QVC 40% or CTSH
	8507.20	-Other lead-acid accumulators	QVC 40% or CTSH

	8507.30	-Nickel-cadmium	QVC 40% or CTSH
	8507.40	-Nickel-iron	QVC 40% or CTSH
	8507.80	-Other accumulators	QVC 40% or CTSH
85.08		Vacuum cleaners.	
		- With self-contained electric motor:	
	8508.11	- - Of a power not exceeding 1,500 W and having a dust bag or other receptacle capacity not exceeding 20 l	QVC 40% or CTSH
	8508.19	- - Other	QVC 40% or CTSH
	8508.60	-Other vacuum cleaners	QVC 40% or CTSH
85.09		Electro-mechanical domestic appliances, with self-contained electric motor, other than vacuum cleaners of heading 85.08.	
	8509.40	-Food grinders and mixers; fruit or vegetable juice extractors	QVC 40% or CTSH
	8509.80	-Other appliances	QVC 40% or CTSH
85.10		Shavers, hair clippers and hair-removing appliances, with self-contained electric motor.	
	8510.10	-Shavers	QVC 40% or CTSH
	8510.20	-Hair clippers	QVC 40% or CTSH
	8510.30	-Hair-removing appliances	QVC 40% or CTSH
85.11		Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines.	
	8511.10	-Sparking plugs	QVC 40% or CTSH
	8511.20	-Ignition magnetos; magneto-dynamos; magnetic flywheels	QVC 40% or CTSH
	8511.30	-Distributors; ignition coils	QVC 40% or CTSH
	8511.40	-Starter motors and dual purpose starter-generators	QVC 40% or CTSH
	8511.50	-Other generators	QVC 40% or CTSH
	8511.80	-Other equipment	QVC 40% or CTSH
85.12		Electrical lighting or signalling equipment (excluding articles of heading 85.39), windscreen wipers, defrosters and demisters, of a kind used for cycles or motor vehicles.	
	8512.10	-Lighting or visual signalling equipment of a kind used on bicycles	CTSH
	8512.20	-Other lighting or visual signalling equipment	CTSH
	8512.30	-Sound signalling equipment	CTSH
	8512.40	-Windscreen wipers, defrosters and demisters	CTSH
85.13		Portable electric lamps designed to function by their own source of energy (for example, dry batteries, accumulators,	

		magnetos), other than lighting equipment of heading 85.12.	
	8513.10	-Lamps	QVC 40% or CTSH
85.14		Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss.	
	8514.10	-Resistance heated furnaces and ovens	CTSH
	8514.20	-Furnaces and ovens functioning by induction or dielectric loss	CTSH
	8514.30	-Other furnaces and ovens	CTSH
	8514.40	-Other equipment for the heat treatment of materials by induction or dielectric loss	CTSH
8515		Electric (including electrically heated gas), laser or other light or photon beam, ultrasonic, electron beam, magnetic pulse or plasma arc soldering, brazing or welding machines and apparatus, whether or not capable of cutting; electric machines and apparatus for hot spraying of metals or cermets.	
		-Brazing or soldering machines and apparatus:	
	8515.11	-- Soldering irons and guns	CTSH
	8515.19	-- Other	CTSH
		-Machines and apparatus for resistance welding of metal:	
	8515.21	-- Fully or partly automatic	CTSH
	8515.29	-- Other	CTSH
		-Machines and apparatus for arc (including plasma arc) welding of metals:	
	8515.31	-- Fully or partly automatic	CTSH
	8515.39	-- Other	CTSH
	8515.80	-Other machines and apparatus	CTSH
85.16		Electric instantaneous or storage water heaters and immersion heaters; electric space heating apparatus and soil heating apparatus; electro-thermic hair-dressing apparatus (for example, hair dryers, hair curlers, curling tong heaters) and hand dryers; electric smoothing irons; other electro-thermic appliances of a kind used for domestic purposes; electric heating resistors, other than those of heading 85.45.	
	8516.10	-Electric instantaneous or storage water heaters and immersion heaters	QVC 40% or CTSH

		-Electric space heating apparatus and electric soil heating apparatus:	
	8516.21	-- Storage heating radiators	QVC 40% or CTSH
	8516.29	-- Other	QVC 40% or CTSH
		-Electro-thermic hair-dressing or hand-drying apparatus:	
	8516.31	-- Hair dryers	QVC 40% or CTSH
	8516.32	-- Other hair-dressing apparatus	QVC 40% or CTSH
	8516.33	-- Hand-drying apparatus	QVC 40% or CTSH
	8516.40	-Electric smoothing irons	QVC 40% or CTSH
	8516.50	-Microwave ovens	QVC 40% or CTSH
	8516.60	-Other ovens; cookers, cooking plates, boiling rings, grillers and roasters	QVC 40% or CTSH
		-Other electro-thermic appliances:	
	8516.71	-- Coffee or tea-makers	QVC 40% or CTSH
	8516.72	-- Toasters	QVC 40% or CTSH
	8516.79	-- Other	QVC 40% or CTSH
	8516.80	-Electric heating resistors	QVC 40% or CTSH
85.17		Telephone sets, including telephones for cellular networks or other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 84.43, 85.25, 85.27 or 85.28.	
		-Telephone sets, including telephones for cellular networks or for other wireless networks:	
	8517.11	-- Line telephone sets with cordless handsets	CTSH
	8517.18	-- Other	CTSH
		-Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network):	
	8517.61	-- Base stations	CTSH
	8517.62	-- Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	CTSH

	8517.69	-- Other	CTSH
85.18		Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loud speakers; audio-frequency electric amplifiers; electric sound amplifier sets.	
	8518.10	-Microphones and stands therefor	QVC 40% or CTSH
		-Loudspeakers, whether or not mounted in their enclosures:	
	8518.21	- - Single loudspeakers, mounted in their enclosures	QVC 40% or CTSH
	8518.22	- - Multiple loudspeakers, mounted in the same enclosure	QVC 40% or CTSH
	8518.29	-- Other	QVC 40% or CTSH
	8518.30	-Headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers	QVC 40% or CTSH
	8518.40	-Audio-frequency electric amplifiers	QVC 40% or CTSH
	8518.50	-Electric sound amplifier sets	QVC 40% or CTSH
85.23		Discs, tapes, solid-state non-volatile storage devices, "smart cards" and other media for the recording of sound or of other phenomena, whether or not recorded, including matrices and masters for the production of discs, but excluding products of Chapter 37.	QVC 40% or CTH; or Recording sound or other similarly recorded phenomena onto blank or unrecorded media of subheading 8523.80 shall confer origin whether or not there has been a change in tariff classification
85.30		Electrical signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields (other than those of heading 86.08).	
	8530.10	-Equipment for railways or tramways	CTSH
	8530.80	-Other equipment	CTSH
85.31		Electric sound or visual signalling apparatus (for example, bells, sirens, indicator panels, burglar or fire alarms), other than those of heading 85.12 or 85.30.	
	8531.10	-Burglar or fire alarms and similar apparatus	CTSH
	8531.20	-Indicator panels incorporating liquid crystal devices (LCD) or light emitting diodes (LED)	CTSH
	8531.80	-Other apparatus	CTSH
85.32		Electrical capacitors, fixed, variable or	

		adjustable (pre-set).	
	8532.10	-Fixed capacitors designed for use in 50/60 Hz circuits and having a reactive power handling capacity of not less than 0.5 kvar (power capacitors)	CTSH
		-Other fixed capacitors:	
	8532.21	-- Tantalum	CTSH
	8532.22	-- Aluminium electrolytic	CTSH
	8532.23	-- Ceramic dielectric, single layer	CTSH
	8532.24	-- Ceramic dielectric, multilayer	CTSH
	8532.25	-- Dielectric of paper or plastics	CTSH
	8532.29	-- Other	CTSH
	8532.30	-Variable or adjustable (pre-set) capacitors	CTSH
85.33		Electrical resistors (including rheostats and potentiometers), other than heating resistors.	
	8533.10	-Fixed carbon resistors, composition or film types	CTSH
		-Other fixed resistors:	
	8533.21	-- For a power handling capacity not exceeding 20 W	CTSH
	8533.29	-- Other	CTSH
		-Wirewound variable resistors, including rheostats and potentiometers:	
	8533.31	-- For a power handling capacity not exceeding 20 W	CTSH
	8533.39	-- Other	CTSH
	8533.40	-Other variable resistors, including rheostats and potentiometers	CTSH
85.35		Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, fuses, lightning arresters, voltage limiters, surge suppressors, plugs and other connectors, junction boxes), for a voltage exceeding 1,000 volts.	QVC 40% or CTSH
85.36		Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders and other connectors, junction boxes), for a voltage not exceeding 1,000 volts; connectors for optical fibres, optical fibre bundles or cables.	QVC 40% or CTSH
85.39		Electric filament or discharge lamps, including sealed beam lamp units and ultra-violet or infra-red lamps; arc-lamps.	
	8539.10	-Sealed beam lamp units	QVC 40% or CTSH

		-Other filament lamps, excluding ultra-violet or infra-red lamps:	
	8539.21	-- Tungsten halogen	QVC 40% or CTSH
	8539.22	-- Other, of a power not exceeding 200 W and for a voltage exceeding 100 V	QVC 40% or CTSH
		-Other filament lamps, excluding ultra-violet or infra-red lamps:	
	8539.29	-- Other	QVC 40% or CTSH
		-Discharge lamps, other than ultra-violet lamps:	
	8539.31	-- Fluorescent, hot cathode	QVC 40% or CTSH
	8539.32	-- Mercury or sodium vapour lamps; metal halide lamps	QVC 40% or CTSH
	8539.39	-- Other	QVC 40% or CTSH
		-Ultra-violet or infra-red lamps; arc-lamps:	
	8539.41	-- Arc-lamps	QVC 40% or CTSH
	8539.49	-- Other	QVC 40% or CTSH
85.40		Thermionic, cold cathode or photo-cathode valves and tubes (for example, vacuum or vapour or gas filled valves and tubes, mercury arc rectifying valves and tubes, cathode-ray tubes, television camera tubes).	
		-Cathode-ray television picture tubes, including video monitor cathode-ray tubes:	
	8540.11	-- Colour	CTSH
	8540.12	-- Black and white or other monochrome	CTSH
	8540.20	-Television camera tubes; image converters and intensifiers; other photo-cathode tubes	CTSH
	8540.40	-Data/graphic display tubes, colour, with a phosphor dot screen pitch smaller than 0.4 mm	CTSH
	8540.50	-Data/graphic display tubes, black and white or other monochrome	CTSH
	8540.60	-Other cathode-ray tubes	CTSH
		-Microwave tubes (for example, magnetrons, klystrons, travelling wave tubes, carcinotrons), excluding grid-controlled tubes:	
	8540.71	-- Magnetrons	CTSH
	8540.72	-- Klystrons	CTSH
	8540.79	-- Other	CTSH

		-Other valves and tubes:	
	8540.81	-- Receiver or amplifier valves and tubes	CTSH
	8540.89	-- Other	CTSH
85.41		Diodes, transistors and similar semiconductor devices; photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light emitting diodes; mounted piezo-electric crystals.	
	8541.10	-Diodes, other than photosensitive or light emitting diodes	CTSH
		-Transistors, other than photosensitive transistors:	
	8541.21	-- With a dissipation rate of less than 1 W	CTSH
	8541.29	-- Other	CTSH
	8541.30	-Thyristors, diacs and triacs, other than photosensitive devices	CTSH
	8541.40	-Photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light emitting diodes	CTSH
	8541.50	-Other semiconductor devices	CTSH
	8541.60	-Mounted piezo-electric crystals	CTSH
85.42		Electronic integrated circuits.	
		-Electronic integrated circuits:	
	8542.31	-- Processors and controllers, whether or not combined with memories, converters, logic circuits, amplifiers, clock and timing circuits, or other circuits	CTSH
	8542.32	-- Memories	CTSH
	8542.33	-- Amplifiers	CTSH
	8542.39	-- Other	CTSH
85.43		Electrical machines and apparatus, having individual functions, not specified or included elsewhere in this Chapter.	
	8543.10	-Particle accelerators	CTSH
	8543.20	-Signal generators	CTSH
	8543.30	-Machines and apparatus for electroplating, electrolysis or electrophoresis:	CTSH
	8543.70	-Other machines and apparatus	QVC 40% or CTSH
Chapter 87 Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof			
87.08		Parts and accessories of the motor vehicles of headings 87.01 to 87.05.	

		-Other parts and accessories of bodies (including cabs):	
	8708.21	-- Safety seat belts	QVC 40% or CTSH
	8708.29	-- Other	QVC 40% or CTSH
	8708.99	-- Other	QVC 40% or CTSH
Chapter 90			
Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof			
90.03		Frames and mountings for spectacles, goggles or the like, and parts thereof.	
		-Frames and mountings:	
	9003.11	-- Of plastics	CTSH
	9003.19	-- Of other materials	CTSH
90.04		Spectacles, goggles and the like, corrective, protective or other.	CTSH
90.05		Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio-astronomy.	
	9005.10	-Binoculars	CTSH
	9005.80	-Other instruments	CTSH
90.06		Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 85.39.	
	9006.10	-Cameras of a kind used for preparing printing plates or cylinders	CTSH
	9006.30	-Cameras specially designed for underwater use, for aerial survey or for medical or surgical examination of internal organs; comparison cameras for forensic or criminological purposes	CTSH
	9006.40	-Instant print cameras	CTSH
		-Other cameras:	
	9006.51	-- With a through-the-lens viewfinder (single lens reflex (SLR)), for roll film of a width not exceeding 35 mm	CTSH
	9006.52	-- Other, for roll film of a width less than 35 mm	CTSH
	9006.53	-- Other, for roll film of a width of 35 mm	CTSH
	9006.59	-- Other	CTSH
		-Photographic flashlight apparatus and flashbulbs:	
	9006.61	-- Discharge lamp ("electronic") flashlight apparatus	CTSH
	9006.69	-- Other	CTSH
90.07		Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus.	

		-Cameras:	
	9007.11	- - For film of less than 16 mm width or for double-8 mm film	CTSH
	9007.19	- - Other	CTSH
	9007.20	-Projectors	CTSH
90.08		Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers.	
	9008.10	-Slide projectors	CTSH
	9008.20	-Microfilm, microfiche or other microform readers, whether or not capable of producing copies	CTSH
	9008.30	-Other image projectors	CTSH
	9008.40	-Photographic (other than cinematographic) enlargers and reducers	CTSH
90.10		Apparatus and equipment for photographic (including cinematographic) laboratories, not specified or included elsewhere in this Chapter; negatoscopes; projection screens.	
	9010.10	-Apparatus and equipment for automatically developing photographic (including cinematographic) film or paper in rolls or for automatically exposing developed film to rolls of photographic paper	CTSH
	9010.50	-Other apparatus and equipment for photographic (including cinematographic) laboratories; negatoscopes	QVC 40% or CTSH
	9010.60	-Projection screens	CTSH
90.11		Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection.	
	9011.10	-Stereoscopic microscopes	CTSH
	9011.20	-Other microscopes, for photomicrography, cinephotomicrography or microprojection	CTSH
	9011.80	-Other microscopes	CTSH
90.12		Microscopes other than optical microscopes; diffraction apparatus.	
	9012.10	-Microscopes other than optical microscopes and diffraction apparatus	CTSH
90.13		Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this Chapter.	
	9013.10	-Telescopic sights for fitting to arms; periscopes; telescopes designed to form parts of machines, appliances, instruments or apparatus of this chapter or Section XVI	CTSH
	9013.20	-Lasers, other than laser diodes	CTSH
	9013.80	-Other devices, appliances and	CTSH

		instruments	
90.14		Direction finding compasses; other navigational instruments and appliances.	
	9014.10	-Direction finding compasses	QVC 40% or CTSH
	9014.20	-Instruments and appliances for aeronautical or space navigation (other than compasses)	QVC 40% or CTSH
	9014.80	-Other instruments and appliances	QVC 40% or CTSH
90.15		Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders.	
	9015.10	-Rangefinders	QVC 40% or CTSH
	9015.20	-Theodolites and tachymeters (tacheometers)	QVC 40% or CTSH
	9015.30	-Levels	QVC 40% or CTSH
	9015.40	-Photogrammetrical surveying instruments and appliances	QVC 40% or CTSH
	9015.80	-Other instruments and appliances	QVC 40% or CTSH
90.17		Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter.	
	9017.10	-Drafting tables and machines, whether or not automatic	QVC 40% or CTSH
	9017.20	-Other drawing, marking-out or mathematical calculating instruments	QVC 40% or CTSH
	9017.30	-Micrometers, callipers and gauges	QVC 40% or CTSH
	9017.80	-Other instruments	QVC 40% or CTSH
90.22		Apparatus based on the use of x-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, x-ray tubes and other x-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like.	
		-Apparatus based on the use of x-rays, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus:	
	9022.12	- - Computed tomography apparatus	CTSH

	9022.13	-- Other, for dental uses	CTSH
	9022.14	-- Other, for medical, surgical or veterinary uses	CTSH
	9022.19	-- For other uses	CTSH
		-Apparatus based on the use of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus:	
	9022.21	- - For medical, surgical, dental or veterinary uses	CTSH
	9022.29	-- For other uses	CTSH
	9022.30	-X-ray tubes	CTSH
90.24		Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics).	
	9024.10	-Machines and appliances for testing metals	QVC 40% or CTSH
	9024.80	-Other machines and appliances	QVC 40% or CTSH
90.25		Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments.	
		-Thermometers and pyrometers, not combined with other instruments:	
	9025.11	-- Liquid-filled, for direct reading	CTSH
	9025.19	-- Other	CTSH
	9025.80	-Other instruments	CTSH
90.26		Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32.	
	9026.10	-For measuring or checking the flow or level of liquids	CTSH
	9026.20	-For measuring or checking pressure	CTSH

	9026.80	-Other instruments or apparatus	CTSH
90.27		Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes.	
	9027.10	-Gas or smoke analysis apparatus	CTSH
	9027.20	-Chromatographs and electrophoresis instruments	CTSH
	9027.30	-Spectrometers, spectrophotometers and spectrographs using optical radiations (UV, visible, IR)	CTSH
	9027.50	-Other instruments and apparatus using optical radiations (UV, visible, IR)	CTSH
	9027.80	-Other instruments and apparatus	CTSH
90.28		Gas, liquid or electricity supply or production meters, including calibrating meters therefor.	
	9028.10	-Gas meters	QVC 40% or CTSH
	9028.20	-Liquid meters	QVC 40% or CTSH
	9028.30	-Electricity meters	QVC 40% or CTSH
90.29		Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 90.14 or 90.15; stroboscopes.	
	9029.10	-Revolution counters, production counters, taximeters, mileometers, pedometers and the like	CTSH
	9029.20	-Speed indicators and tachometers; stroboscopes	CTSH
90.30		Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations.	
	9030.10	-Instruments and apparatus for measuring or detecting ionising radiations	CTSH
	9030.20	-Oscilloscopes and oscillographs	CTSH
		-Other instruments and apparatus, for measuring or checking voltage, current, resistance or power:	
	9030.31	- - Multimeters without a recording device	CTSH

	9030.32	-- Multimeters with a recording device	CTSH
	9030.33	-- Other, without a recording device	CTSH
	9030.39	-- Other, with a recording device	CTSH
	9030.40	-Other instruments and apparatus, specially designed for telecommunications (for example, cross-talk meters, gain measuring instruments, distortion factor meters, psophometers)	CTSH
		-Other instruments and apparatus:	
	9030.82	- - For measuring or checking semiconductor wafers or devices	CTSH
	9030.84	-- Other, with a recording device	CTSH
	9030.89	-Other	CTSH
90.31		Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors.	
	9031.10	-Machines for balancing mechanical parts	CTSH
	9031.20	-Test benches	CTSH
		-Other optical instruments and appliances:	
	9031.41	- - For inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices	CTSH
	9031.49	-- Other	CTSH
	9031.80	-Other instruments, appliances and machines	CTSH
90.32		Automatic regulating or controlling instruments and apparatus.	
	9032.10	-Thermostats	CTSH
	9032.20	-Manostats	CTSH
		-Other instruments and apparatus:	
	9032.81	- - Hydraulic or pneumatic	CTSH
	9032.89	-- Other	CTSH
Chapter 91 Clocks and watches and parts thereof			
91.11		Watch cases and parts thereof.	
	9111.10	-Cases of precious metal or of metal clad with precious metal	CTSH
	9111.20	-Cases of base metal, whether or not gold or silver-plated	CTSH
	9111.80	-Other cases	CTSH
Chapter 93			

Arms and ammunition; parts and accessories thereof			
93.01		Military weapons, other than revolvers, pistols and the arms of heading 93.07.	CTH
93.02		Revolvers and pistols, other than those of heading 93.03 or 93.04.	CTH
93.03		Other firearms and similar devices which operate by the firing of an explosive charge (for example, sporting shotguns and rifles, muzzle-loading firearms, Very pistols and other devices designed to project only signal flares, pistols and revolvers for firing blank ammunition, captive-bolt humane killers, line-throwing guns).	CTH
93.04		Other arms (for example, spring, air or gas guns and pistols, truncheons), excluding those of heading 93.07.	CTH
93.05		Parts and accessories of articles of heading 93.01 to 93.04.	CTH
93.06		Bombs, grenades, torpedoes, mines, missiles, and similar munitions of war and parts thereof; cartridges and other ammunition and projectiles and parts thereof, including shot and cartridge wads.	CTH
Chapter 94 Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings			
94.01		Seats (other than those of heading 94.02), whether or not convertible into beds, and parts thereof.	CTSH
94.03		Other furniture and parts thereof.	CTSH
94.05		Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included.	
	9405.10	-Chandeliers and other electric ceiling or wall lighting fittings, excluding those of a kind used for lighting public open spaces or thoroughfares	QVC 40% or CTSH
	9405.20	-Electric table, desk, bedside or floor-standing lamps	QVC 40% or CTSH
	9405.30	-Lighting sets of a kind used for christmas trees	QVC 40% or CTSH
	9405.40	-Other electric lamps and lighting fittings	QVC 40% or CTSH
	9405.50	-Non-electrical lamps and lighting fittings	QVC 40% or CTSH
	9405.60	-Illuminated signs, illuminated name-plates and the like	QVC 40% or CTSH

Chapter 96 Miscellaneous manufactured articles			
96.07		Slide fasteners and parts thereof.	
		-Slide fasteners:	
	9607.11	- - Fitted with chain scoops of base metal	QVC 40% or CTSH
	9607.19	- - Other	QVC 40% or CTSH
96.08		Ball point pens; felt tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading 96.09.	
	9608.10	-Ball point pens	QVC 40% or CTSH
	9608.20	-Felt tipped and other porous-tipped pens and markers	QVC 40% or CTSH
		-Fountain pens, stylograph pens and other pens:	
	9608.31	- - Indian ink drawing pens	QVC 40% or CTSH
	9608.39	- - Other	QVC 40% or CTSH
	9608.40	-Propelling or sliding pencils	QVC 40% or CTSH
96.09		Pencils (other than pencils of heading 96.08), crayons, pencil leads, pastels, drawing charcoals, writing or drawing chalks and tailors' chalks.	
	9609.10	-Pencils and crayons, with leads encased in a rigid sheath	QVC 40% or CTSH
96.13		Cigarette lighters and other lighters, whether or not mechanical or electrical, and parts thereof other than flints and wicks.	
	9613.10	- Pocket lighters, gas fuelled, non-refillable	QVC 40% or CTSH
	9613.20	- Pocket lighters, gas fuelled, refillable	QVC 40% or CTSH
	9613.80	- Other lighters	QVC 40% or CTSH

ANNEX 4-C

FORM OF CERTIFICATE OF ORIGIN

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

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

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

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

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

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

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

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

Box 5:

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

Box 6: Provide the item number.

Box 7: Provide the marks and number of packages.

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

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

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

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

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

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

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

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

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

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

CHAPTER 5

CUSTOMS ADMINISTRATION

Article 5.1: Definitions

For the purposes of this Chapter:

- (a) **Customs Authority** means the authority that according to the legislation of each Party is responsible for the administration and enforcement of its customs laws:
 - (i) in the case of Chile, the Chile Customs Service; and
 - (ii) in the case of Malaysia, the Royal Malaysian Customs;
- (b) **customs laws** means such laws and regulations administered and enforced by the customs authority of each Party concerning the importation, exportation, and transit of goods, relating to customs duties, charges and other taxes, or to prohibitions, restrictions and other similar controls with respect to the movement of controlled items across the boundary of the customs territory of each Party;
- (c) **information** means any data, documents, reports and certified or authenticated copies thereof or other communications;
- (d) **Requesting Authority** means the Customs Authority which requests assistance; and
- (f) **Requested Authority** means the Customs Authority from which assistance is requested.

Article 5.2: Objectives

The objectives of this Chapter are to:

- (a) simplify and harmonise customs procedures of the Parties;
- (b) ensure consistency, predictability and transparency in the application of customs laws and regulations of the Parties;
- (c) ensure efficient and expeditious release of goods;

- (d) facilitate trade in goods between the Parties by the use of information and communications technology, taking into account international standards; and
- (e) promote cooperation between the customs authorities with relevant international standards and recommended practices such as those made under the auspices of the Customs Cooperation Council.

Article 5.3: Scope and Coverage

1. This Chapter shall apply to customs procedures for goods traded between the Parties.
2. This Chapter shall be implemented by each Party in accordance with the laws and regulations in force in each Party and within the competence and available resources of the Customs Authority of each Party.

Article 5.4: Publication and Enquiry Points

1. For the purposes of this Chapter, each Party shall:
 - (a) publish, on the internet or in print form, all statutory and regulatory provisions and procedures applicable or enforced by its Customs Authority; and
 - (b) designate one or more enquiry points to address enquiries from the other Party concerning customs matters, and shall make available on the internet or print form, information concerning procedures for making such enquiries.
2. To the extent possible, each Party may have prior consultation on any related regulations of general application governing customs matters that it proposes to adopt and shall publish any regulations of general application governing customs matters as soon as it comes into force.

Article 5.5: Release of Goods

1. Each Party shall endeavour to apply customs procedures in a predictable, consistent and transparent manner for the efficient release of goods in order to facilitate trade between the Parties.
2. For the prompt release of goods traded between the Parties, each Party shall, to the extent possible,:

- (a) provide for the release of goods within a period no greater than that required to ensure compliance with its customs laws; and to the extent possible, within 48 hours of all relevant customs import;
- (b) make use of information and communications technology;
- (c) adopt or maintain procedures allowing, to the extent possible, goods to be released at the point of arrival, without temporary transfer to warehouses or other locations; and
- (d) harmonise its customs procedures, as far as possible, with relevant international standards and best practices, such as those recommended by the World Customs Organization.

Article 5.6: Risk Management

1. In order to facilitate release of goods traded between the Parties, the Customs Authority of each Party shall use risk management methodology.
2. The Customs Authority of each Party shall exchange information, including best practices, on risk management techniques and other enforcement techniques.
3. Each Party shall endeavour to adopt or maintain risk management systems that enable its Customs Authority to concentrate inspection activities on high risk goods and that simplify the clearance and movement of low risk goods.

Article 5.7: Cooperation and Capacity Building

1. Each Party shall cooperate on capacity building, such as training, technical assistance, exchange of experts and any other forms of cooperation, as may be mutually agreed upon by the Parties, for trade facilitation.
2. To the extent permitted by their domestic laws and regulations, the Customs Authority of each Party shall assist each other in relation to:
 - (a) achieving compliance with their laws and regulations pertaining to the implementation and operation of the provisions of this Agreement; and such other customs matters as the Parties may agree;
 - (b) the implementation and operation of the Agreement on Customs Valuation;

- (c) enforcement of prohibitions and restrictions on exports to and imports from their respective territories;
- (d) joint efforts to combat customs fraud; and
- (e) cooperation in any other areas as may be mutually agreed upon by the Parties.

Article 5.8: Mutual Assistance

1. The Customs Authority of each Party shall, to the extent possible, provide the Customs Authority of the other Party, upon request or on its own initiative, with information which helps to ensure proper application of customs laws and the prevention of violation or attempted violation of customs laws.

2. To the extent permitted by their respective domestic laws, the customs authorities may provide each other with mutual assistance in order to prevent or investigate violations of customs laws or when information is required for use in judicial proceedings.

3. The request pursuant to paragraph 1 shall, wherever appropriate, specify:

- (a) the verification procedures that the Requesting Authority has undertaken or attempted to undertake; and
- (b) the specific information that the Requesting Authority requires, which may include:
 - (i) subject and reason for the request;
 - (ii) a brief description of the matter and the action requested; and
 - (iii) the names and addresses of the parties concerned with the proceedings, if known.

Article 5.9: Enforcement Against Illicit Trafficking

The Customs Authority of each Party shall, to the extent permitted by their laws and regulations, wherever possible, cooperate and exchange information in their enforcement against the trafficking of illicit drugs and other prohibited goods in their respective territories.

Article 5.10: Information and Communications Technology

The customs authorities of the Parties shall make cooperative efforts to promote the use of information and communications technology in their customs procedures including sharing best practices, for the purpose of improving their customs procedures.

Article 5.11: Confidentiality

1. Any information communicated under this Chapter shall be treated as confidential unless the Requested Authority consents in writing to the disclosure of such information.
2. The Requested Authority may limit the information communicated under this Chapter if the Requesting Authority is unable to give the assurance that the information is used solely for the purpose it was requested for.
3. If a Requesting Authority would be unable to comply with a similar request in case such a request was made by the Requested Authority, the Requesting Authority shall draw attention to that fact in its request. Execution of such a request shall be at the discretion of the Requested Authority.
4. Any information communicated under this Chapter shall be used only by the Requesting Authority, solely for the purpose of administrative assistance according to the terms set out in this Chapter.
5. Any information in the possession of the requested customs administration and communicated under this Chapter, if required for use in judicial proceedings, shall only be disclosed in accordance with the laws and regulations of the respective Party.
6. Notwithstanding the provisions of this Chapter, if the communication of any information requested under this Chapter is prohibited by the laws or regulations, considered to be incompatible or prejudicial to the national interest or national security of the country of the Requested Authority, the Requested Authority shall not be required to provide such information or may provide such information subject to any terms, conditions or limitations it may prescribe.

Article 5.12: Review and Appeal

Each Party shall ensure that with respect to its determinations on customs matters, importers in its territory have access to:

- (a) a level of administrative review independent of the office that issued the determinations; and

- (b) judicial review of the determinations.

Article 5.13: Penalties

Each Party shall adopt or maintain measures that provide for the imposition of civil, administrative and, where appropriate, criminal sanctions for violations of its customs laws and regulations.

Article 5.14: Advance Rulings

1. Each Party shall issue, prior to the importation of a good into its territory, a written advance ruling at the written request of an importer in its territory, with regard to:

- (a) tariff classification; and
- (b) the application of customs valuation criteria for a particular case, in accordance with the application of the provisions set forth in the Agreement on Customs Valuation.

2. For the issuance of the written advance ruling, each Party will apply their domestic laws and procedures.

CHAPTER 6

SANITARY AND PHYTOSANITARY MEASURES

Article 6.1: Definitions

For the purposes of this Chapter:

- (a) **SPS Agreement** means the *Agreement on the Application of Sanitary and Phytosanitary Measures*, contained in Annex 1A of the WTO Agreement;
- (b) the definitions in Annex A of the SPS Agreement are incorporated into this Chapter and shall form part of this Chapter, *mutatis mutandis*; and
- (c) the relevant definitions developed by the *Codex Alimentarius Commission* (hereinafter referred to as “Codex”), *World Organisation for Animal Health* (hereinafter referred to as “OIE”) and the *International Plant Protection Convention* (hereinafter referred to as “IPPC”) apply to the implementation of this Chapter.

Article 6.2: Objectives

The objectives of this Chapter are to:

- (a) facilitate implementation of the SPS Agreement and applicable international standards, guidelines and recommendations developed by the relevant international organizations;
- (b) facilitate bilateral trade in food, plants and animals, including their products, while protecting human, animal or plant life or health in the territory of each Party;
- (c) increase mutual understanding of each Party’s regulations and procedures relating to the implementation of sanitary and phytosanitary measures;
- (d) provide a means to improve communication and cooperation on sanitary and phytosanitary issues; and
- (e) provide means to resolve issues on sanitary and phytosanitary arising from the implementation of this Agreement.

Article 6.3: Scope and Coverage

This Chapter applies to all sanitary and phytosanitary measures of a Party that may, directly or indirectly, affect trade between the Parties.

Article 6.4: General Obligations

1. The Parties reaffirm their rights and obligations with respect to each other under the SPS Agreement.
2. The Parties shall cooperate in relevant international bodies engaged in work on sanitary and phytosanitary related issues, including the WTO SPS Committee, Codex, OIE and IPPC.

Article 6.5: Consultations on Sanitary and Phytosanitary Measures

1. On the request of a Party for consultations on any matter arising under this Chapter, the Parties shall agree to enter into consultations by notifying the Contact Points listed in Annex 6-B.
2. Consultations will be carried out within 30 days of receiving the notification, unless otherwise agreed by the Parties. Such consultations may be conducted via teleconferencing, videoconferencing, or any other means mutually agreed upon by the Parties.
3. If the consultations have failed to settle the dispute and the matter is subsequently referred to the dispute settlement procedure contained in Chapter 12 (Dispute Settlement), the consultations under this Article shall replace those provided for in Article 12.3.

Article 6.6: Committee on Sanitary and Phytosanitary Measures

1. The Parties hereby agree to establish a Committee on Sanitary and Phytosanitary Measures (hereinafter referred to as "SPS Committee") with the objective of ensuring the implementation of this Chapter. The SPS Committee shall be comprised of representatives of each Party who have responsibility for the development, implementation, and enforcement of sanitary and phytosanitary measures.
2. The Parties shall establish the SPS Committee in a period no later than one year after the date of entry into force of this Agreement through an exchange of letters.
3. The SPS Committee shall seek to enhance cooperation between the Parties' agencies with responsibility for sanitary and phytosanitary measures.

4. For the purposes of the effective implementation and operation of this Chapter, the functions of the SPS Committee shall be to provide a forum for:

- (a) enhancing mutual understanding of each Party's sanitary and phytosanitary measures and the regulatory processes that relate to those measures;
- (b) discussion on matters related to the development or application of sanitary and phytosanitary measures that affect, or may affect, trade between the Parties;
- (c) consulting on issues, relating to the meetings of the WTO SPS Committee, Codex, OIE and IPPC;
- (d) coordinating technical cooperation programs on sanitary and phytosanitary measures;
- (e) improving bilateral understanding related to specific implementation issues concerning the SPS Agreement;
- (f) addressing any bilateral issues arising from the implementation of sanitary and phytosanitary measures between the Parties; and
- (g) reviewing progress on addressing sanitary and phytosanitary measures that may arise between the Competent Authorities listed in Annex 6-A.

5. Unless otherwise agreed by the Parties, the SPS Committee shall meet annually.

6. The SPS Committee shall establish its own rules of procedure during its first meeting to guide its operation which may be revised or further developed.

7. The SPS Committee may agree to establish *ad hoc* technical working groups in accordance with its rules of procedure.

Article 6.7: Competent Authorities and Contact Points

1. The Competent Authorities responsible for the implementation of the measures referred to in this Chapter are listed in Annex 6-A. The Contact Points that have the responsibility relating to communications between the Parties are set out in Annex 6-B.

2. The Parties shall inform each other of any significant changes in the structure, organisation and division of the competency of its Competent Authorities or Contact Points.

Article 6.8: Cooperation

1. The Parties agree to cooperate to facilitate the implementation of this Chapter.
2. The Parties shall explore opportunities for further cooperation and collaboration on sanitary or phytosanitary measures of mutual interest, consistent with the provisions of this Chapter.

ANNEX 6-A

COMPETENT AUTHORITIES

For Chile:

General Directorate of International Economic Affairs (DIRECON), Ministry of Foreign Affairs

Head of SPS Issues Subdepartment
Market Access Department
Teatinos 180,
Santiago, Chile
Tel: (56) (2) 827 5447/ 827 5338

Agriculture and Livestock Service (SAG), Ministry of Agriculture

Head of International Affairs Division
Av. Bulnes 140
Santiago, Chile
Tel: (56)(2) 345 1111

Agriculture and Livestock Service (SAG), Ministry of Agriculture

Head of Livestock Protection Division
Av. Bulnes 140
Santiago, Chile
Tel: (56)(2) 345 1111

Agriculture and Livestock Service (SAG), Ministry of Agriculture

Head of Agriculture and Forestry Protection Division
Av. Bulnes 140
Santiago, Chile
Tel: (56)(2) 345 1111

Ministry of Health

Head of Food and Nutrition Department
Division of Healthy Public Policies and Promotion
Undersecretary of Public Health
Tel: (56) (2) 5740393 - 5740474

National Fisheries Service (SERNAPESCA), Ministry of Economy

Head of Fisheries Health Department
Victoria 2832, Valparaíso Chile
Tel: (56) (32) 2819202 /203
Fax: (56) (32) 281 9200

For Malaysia:

- (a) For matters concerning Malaysia's exports to Chile of plants and plant products:

Director General
Department of Agriculture
Wisma Tani, Tower Block
Lot4G2, Precint4,
Federal Government Administrative Centre
62624 Putrajaya
Malaysia
Tel: (+603) 8870 3001
Fax: (+603) 8888 5069
E-mail: roseley@doa.gov.my

Director
Crop Protection and Plant Quarantine Services Department of Agriculture
Wisma Tani
Jalan Sultan Salahuddin
50632 Kuala Lumpur
Malaysia
Tel: (+603) 2697 7120
Fax: (+603) 2697 7205
E-mail: wanis@doa.gov.my

- (b) For matters concerning Malaysia's exports to Chile of live animals and animal products:

Director General
Department of Veterinary Services
Wisma Tani, Block Podium
Level 2, Lot 4G1, Precint 4
Federal Government Administrative Centre
62624 Putrajaya
Malaysia
Tel: (+603) 8870 2001
Fax: (+603) 8888 6051
E-mail: azizj@dvs.gov.my

- (c) For matters concerning exports of Malaysia to Chile of live fish and shrimps:

Director General
Department of Fisheries
Wisma Tani
Level 1-7
Lot4G2, Precint4

Federal Government Administrative Centre
62628 Putrajaya
Malaysia
Tel: (+603) 8870 4008
Fax: (+603) 8889 2460
E-mail: kpp01@dof.gov.my

- (d) For matters concerning exports of Malaysia to Chile of processed fish products and other processed food:

Director
Food Safety and Quality Division Ministry of Health
Level 3, Block E7, Parcel E
Federal Government Administrative Centre
62590 Putrajaya
Malaysia
Tel: (+603) 8883 3501
Fax: (+603) 88893815
E-mail: noraini_othman@moh.gov.my
shamsinar@moh.gov.my

ANNEX 6-B
CONTACT POINTS

For Chile:

Sanitary and Phytosanitary Subdepartment of Market Access Department of the General Directorate of International Economic Affairs (DIRECON) of the Ministry of Foreign Affairs.

For Malaysia:

Strategic Planning and International Division of the Ministry of Agriculture and Agro-Based Industry (MOA), Malaysia.

CHAPTER 7

TECHNICAL BARRIERS TO TRADE

Article 7.1: Definitions

For the purposes of this Chapter:

- (a) **TBT Agreement** means the *Agreement on Technical Barriers to Trade*, contained in Annex 1A of the WTO Agreement; and
- (b) **Technical regulations, standards and conformity assessment procedures** shall have the meanings assigned to those terms in Annex 1 of the TBT Agreement.

Article 7.2: Objectives

The objectives of this Chapter are to increase and facilitate bilateral trade through the implementation of the TBT Agreement, the elimination of unnecessary technical barriers to trade and the enhancement of bilateral cooperation.

Article 7.3: Scope and Coverage

1. Except as provided in paragraphs 2 and 3, this Chapter applies to all standards, technical regulations, and conformity assessment procedures that may, directly or indirectly, affect trade in goods between the Parties.
2. This Chapter does not apply to sanitary and phytosanitary measures which are covered Chapter 6 (Sanitary and Phytosanitary Measures).
3. This Chapter does not apply to technical specifications prepared by governmental bodies for production or consumption requirements of such bodies.

Article 7.4: Reaffirmation of Agreement on Technical Barriers to Trade

The Parties reaffirm their existing rights and obligations with respect to each other under the TBT Agreement.

Article 7.5: International Standards

1. The Parties shall use international standards, or the relevant parts of international standards, as a basis for their technical regulations and related conformity assessment procedures where relevant international standards exist or their completion is imminent, except when such international standards or their relevant parts are ineffective or inappropriate to fulfil legitimate objectives.

2. For the purposes of paragraph 1, the Parties shall apply the principles set out in the *Decision of the Committee on Principles for the Development of International Standards, Guides and Recommendations with relation to Articles 2,5 and Annex 3 of the Agreement*, adopted by the WTO Committee on Technical Barriers to Trade since 1 January 1995, G/TBT/1/Rev.8, 23 May 2002, Section IX.

Article 7.6: Technical Regulations

1. Consistent with the TBT Agreement, each Party shall give positive consideration to accepting as equivalent, technical regulations of the other Party, even if these regulations differ from its own, provided it is satisfied that these regulations adequately fulfil the objectives of its regulations.

2. A Party shall, upon the request of the other Party, explain the reasons why it has not accepted a technical regulation of the other Party as equivalent.

Article 7.7: Trade Facilitation

1. The Parties shall work cooperatively in the fields of standards, technical regulations and conformity assessment procedures with a view to facilitating trade between the Parties.

2. To this end, the Parties shall seek to identify trade facilitating bilateral initiatives regarding standards, technical regulations and conformity assessment procedures that are appropriate for particular issues or sectors. Such initiatives may include:

- (a) cooperation on regulatory issues, such as convergence or equivalence of technical regulations and standards;
- (b) alignment with international standards;
- (c) reliance on a supplier's declaration of conformity;
- (d) use of accreditation to qualify conformity assessment bodies; and
- (e) cooperation through recognition of conformity assessment procedures.

Article 7.8: Conformity Assessment

1. The Parties recognise that a broad range of mechanisms exist to facilitate the acceptance of the results of conformity assessment procedures, including:

- (a) voluntary arrangements between conformity assessment bodies from each Party's territory;
- (b) agreements on mutual acceptance of the results of conformity assessment procedures with respect to specified regulations conducted by bodies located in the other Party's territory;
- (c) unilateral recognition by one Party of the results of conformity assessments performed in the other Party's territory;
- (d) accreditation procedures for qualifying conformity assessment bodies and promotion of the recognition of accreditation and certification bodies under international mutual recognition arrangements;
- (e) government designation of conformity assessment bodies;
- (f) reliance on a supplier's declaration of conformity, where appropriate; and
- (g) use of regional and international multilateral recognition agreements and arrangements which the Parties are members to.

2. The Parties shall exchange information on the mechanisms referred in paragraph 1 with a view to facilitating acceptance of conformity assessment results.

3. Before accepting the results of a conformity assessment procedure, and to enhance confidence in the continued reliability of each other's conformity assessment results, the Parties may consult on matters such as the technical competence of the conformity assessment bodies involved.

4. Where a Party does not accept the results of a conformity assessment procedure conducted in the territory of the other Party, it shall, on request of that other Party, explain the reasons for its decision.

5. Each Party shall accredit, approve, license, or otherwise recognise conformity assessment bodies in the territory of the other Party on terms no less favourable than those it accords to conformity assessment bodies in its territory.

6. Where a Party accredits, approves, licenses, or otherwise recognises a body assessing conformity with a specific technical regulation or standard in its territory and refuses to accredit, approve, license, or otherwise recognise a body assessing

conformity with that technical regulation or standard in the territory of the other Party, it shall, on request of that other Party, explain the reasons for its decision.

7. Where a Party declines a request from the other Party to engage in negotiations or conclude an agreement on facilitating recognition in its territory of the results of conformity assessment procedures conducted by bodies in the other Party's territory, it shall, on request of that other Party, explain the reasons for its decision.

Article 7.9: Transparency

1. Each Party shall endeavour to ensure that relevant interested persons of the other Party are allowed to participate in any public consultative process, if organised, on the draft standards, technical regulations and conformity assessment procedures on terms no less favourable than those accorded to its own persons.

2. Each Party shall recommend that non-governmental bodies in its territory observe paragraph 1 in relation to the development of standards and voluntary conformity assessment procedures.

3. The Parties acknowledge the importance of transparency in decision-making, including providing a meaningful opportunity for persons to provide comments on proposed technical regulations and conformity assessment procedures. Where a Party publishes a notice under Article 2.9 or 5.6 of the TBT Agreement, it shall:

- (a) include in the notice a statement describing the objective of the proposed technical regulation or conformity assessment procedure and the rationale for the approach the Party is proposing; and
- (b) transmit the proposal electronically to the other Party through the enquiry point the Party has established under Article 10 of the TBT Agreement at the same time as it notifies WTO Members of the proposal pursuant to the TBT Agreement.

Each Party should allow at least 60 days after it transmits a proposal under subparagraph (b) for the public and the other Party to make comments in writing on the proposal.

4. Where a Party makes a notification under Article 2.10 or 5.7 of the TBT Agreement, it shall at the same time transmit the notification to the other Party electronically through the enquiry point referenced in subparagraph 3(b).

5. On request of the other Party, a Party shall provide the other Party information regarding the objective of, and rationale for, a standard, technical regulation or conformity assessment procedure that the Party has adopted or is proposing to adopt.

Article 7.10: Technical Cooperation

With a view to fulfil the objectives of this Chapter, the Parties shall, on the request of the other Party and where possible, cooperate towards:

- (a) exchanging legislation, regulations, rules and other information and periodicals published by the national bodies responsible for technical regulations, standards, conformity assessment, metrology and accreditation;
- (b) exchanging general information and publications on conformity assessment, certification bodies, including notified bodies, designation and accreditation of conformity assessment bodies;
- (c) providing technical advice, information and assistance on mutually agreed terms and conditions and exchanging experience to enhance the other Party's system for standards, technical regulations and conformity assessment procedures, and related activities;
- (d) increasing the information exchange, particularly regarding non-compliance of a product in bilateral trade with relevant technical regulations and conformity assessment procedures of a Party;
- (e) examining the compatibility and/or equivalence of their respective technical regulations, standards and conformity assessment procedures;
- (f) giving favourable consideration, on request of the other Party, to any sector specific proposal for further cooperation;
- (g) promoting and encouraging bilateral cooperation between respective organisations, public and/or private, of the Parties responsible for standardisation, testing, certification, accreditation and metrology;
- (h) increasing their bilateral cooperation in the relevant international organisations and fora dealing with the issues covered by this Chapter; and
- (i) informing the other Party, as far as possible, about the agreements or programs subscribed at international level in relation to TBT issues.

Article 7.11: Committee on Technical Barriers to Trade

1. The Parties hereby agree to establish a Committee on Technical Barriers to Trade (hereinafter referred to as "TBT Committee"), comprising representatives of each Party.

2. For purposes of this Article, the TBT Committee shall be coordinated by:
 - (a) in the case of Chile, the General Directorate of International Economic Affairs, Ministry of Foreign Affairs, or its successor; and
 - (b) in the case of Malaysia, the Department of Standards Malaysia, Ministry of Science, Technology and Innovation.

3. In order to facilitate the communication and ensure the proper functioning of the TBT Committee, the Parties will designate a contact point no later than two months following the date of entry into force of this Agreement.

4. The functions of the TBT Committee shall include:
 - (a) monitoring the implementation and administration of this Chapter;
 - (b) promptly addressing any issue that a Party raises related to the development, adoption, application or enforcement of technical regulations and conformity assessment procedures;
 - (c) enhancing cooperation in the development and improvement of technical regulations and conformity assessment procedures;
 - (d) exchanging information on standards, technical regulations and conformity assessment procedures, in response to all reasonable requests for such information from a Party;
 - (e) facilitating cooperation in the area of specific technical regulations by referring enquiries from a Party to the appropriate regulatory authorities;
 - (f) where appropriate, facilitating sectoral cooperation among governmental and non-governmental conformity assessment bodies in the Parties' territories;
 - (g) exchanging information on developments in non-governmental, regional, and multilateral fora engaged in activities related to standardisation, technical regulations and conformity assessment procedures;
 - (h) consulting on any matter arising under this Chapter, upon a Party's request;
 - (i) reviewing this Chapter in light of any development under the TBT Agreement and developing recommendations for amendments to this Chapter in light of those developments;

- (j) reporting to the Joint Committee on the implementation of this Chapter, as it considers appropriate; and
- (k) taking any other steps the Parties consider will assist them in implementing the TBT Agreement and in facilitating trade in goods between them.

5. A Party shall, upon request, give favourable consideration to any sector-specific proposal the other Party makes for further cooperation under this Chapter.

6. The TBT Committee shall meet when and where it considers necessary, preferably once a year, with the presence of the representatives of each Party or held via teleconference, videoconference or through other means mutually determined by the Parties. By mutual agreement, *ad hoc* working groups may be established if necessary.

Article 7.12: Information Exchange

Any information or explanation provided upon request of a Party pursuant to the provisions of this Chapter, shall be provided in print or in electronic form within a reasonable period of time agreed between the Parties.

CHAPTER 8
TRADE REMEDIES

Section I

Article 8.1: Global Safeguards

1. Each Party retains its rights and obligations under Article XIX of GATT 1994 and the WTO Agreement on Safeguards, as they may be amended.
2. This Agreement does not confer any additional rights or obligations on the Parties with regard to actions taken pursuant to Article XIX of GATT 1994 and the WTO Agreement on Safeguards, as they may be amended.

Article 8.2: Anti-dumping and Countervailing Duties

1. Each Party retains its rights and obligations under Article VI of GATT 1994, the WTO Agreement on Implementation of Article VI of the GATT 1994 and the WTO Agreement on Subsidies and Countervailing Measures, as they may be amended, with regard to the application of anti-dumping and countervailing duties.
2. No provision of this Agreement, including the provisions of Chapter 12 (Dispute Settlement), shall be construed as imposing any rights or obligations on the Parties with respect to anti-dumping or countervailing duty measures.

Section II

Bilateral Safeguard Measures

Article 8.3: Definitions

For the purposes of this Section:

- (a) **domestic industry** means, with respect to an imported good, the producers as a whole of the like or directly competitive good or those producers whose collective production of the like or directly competitive good constitutes a major proportion of the total domestic production of such good;
- (b) **serious injury** means a significant overall impairment in the position of a domestic industry;

- (c) **substantial cause** means a cause which is important and not less than any other cause;
- (d) **threat of serious injury** means serious injury that is clearly imminent and shall be determined on the basis of facts and not merely on allegation, conjecture or remote possibility; and
- (e) **transition period** means the five year period beginning on the date of entry into force of this Agreement, except where the tariff elimination for the good against which the action is taken occurs over a longer period of time, in which case the transition period shall be the period of the staged tariff elimination for that good.

Article 8.4: Imposition of a Bilateral Safeguard Measure

1. A Party may impose a bilateral safeguard measure described in paragraph 2, during the transition period only, if as a result of the reduction or elimination of a customs duty pursuant to this Agreement, an originating good of the other Party is being imported into the Party's territory in such increased quantities, in absolute terms or relative to domestic production, and under such conditions as to constitute a substantial cause of serious injury, or threat thereof, to a domestic industry producing like or directly competitive goods.

2. If the conditions in paragraph 1 are met, a Party may to the extent necessary to prevent or remedy serious injury, or threat thereof, and facilitate adjustment, apply a bilateral safeguard measure, consisting of:

- (a) suspending further reduction of any rate of customs duty provided for under this Agreement on the originating good from the date on which the action to apply the bilateral safeguard measure is taken; or
- (b) increasing the rate of customs duty on the good to a level not to exceed the lesser of:
 - (i) the most-favoured-nation applied rate of customs duty in effect on the date on which the action to apply the bilateral safeguard measure is taken; or
 - (ii) the most-favoured-nation applied rate of customs duty in effect on the day immediately preceding the date of entry into force of this Agreement.

3. Each Party shall not apply bilateral safeguard measure on an originating good imported up to the limit of quota quantities granted under tariff rate quotas applied in accordance with its Schedule in Annex 3.

Article 8.5: Scope and Duration of Safeguard Measures

1. A Party may apply a bilateral safeguard measure, including any extension thereof, for no longer than three years. Regardless of its duration, such measure shall terminate at the end of the transition period. In order to facilitate adjustment in a situation where the expected duration of a bilateral safeguard measure is over one year, the Party maintaining the bilateral safeguard measure shall progressively liberalise the bilateral safeguard measure at regular intervals during the period of application.
2. Neither Party may impose a bilateral safeguard measure more than once on the same good.
3. Nothing in this Chapter shall prevent a Party from applying safeguard measures to an originating good in accordance with:
 - (a) Article XIX of the GATT 1994 and the WTO Agreement on Safeguards; or
 - (b) Article 5 of the WTO Agreement on Agriculture.
4. Neither Party may impose a bilateral safeguard measure on a good that is subject to a measure that the Party has imposed pursuant to Article XIX of GATT 1994, the WTO Agreement on Safeguards or the WTO Agreement on Agriculture and neither Party may continue maintaining a bilateral safeguard measure on a good that becomes subject to a measure that the Party imposes pursuant to Article XIX of GATT 1994, the WTO Agreement on Safeguards or the WTO Agreement on Agriculture.
5. Upon the termination of a bilateral safeguard measure, the rate of customs duty shall be the rate which would have been in effect had the measure not been taken.

Article 8.6: Investigation Procedures

1. A Party may impose a bilateral safeguard measure only after an investigation has been carried out by the competent authorities of that Party in accordance with the same procedures as those provided for in Article 3 and Article 4.2 of the WTO Agreement on Safeguards, and to this end Articles 3 and 4 of the WTO Agreement on Safeguards are incorporated into and made a part of this Agreement, *mutatis mutandis*.
2. The investigation referred to in paragraph 1 shall, as far as possible, be completed within 180 days after being initiated but in no case shall exceed one year.

Article 8.7: Notification

1. A Party shall promptly notify the other Party, in writing, upon:
 - (a) initiating an investigation under Article 8.6;
 - (b) taking a decision to apply, extend or modify a bilateral safeguard measure, or to apply a provisional measure; and
 - (c) taking a decision to progressively liberalise a bilateral safeguard measure previously applied.
2. The Party making the written notice referred to in paragraph 1 shall provide the other Party with all pertinent information, which shall include:
 - (a) in the written notice referred to in subparagraph 1(a), the reason for the initiation of the investigation, a precise description of an originating good subject to the investigation and its subheading or a more detailed level of the Harmonised System (HS), the period subject to the investigation and the date of initiation of the investigation; and;
 - (b) in the written notice referred to in subparagraph 1(b), evidence of serious injury or threat thereof caused by the increased imports of the originating good, a precise description of the originating good subject to the proposed bilateral safeguard measure and its subheading or a more detailed level of the Harmonised System (HS), a precise description of the bilateral safeguard measure, the proposed date of its introduction and its expected duration.
3. With reference to the notification referred to in subparagraph 1(b), a Party shall provide to the other Party a copy of the public version of the report of its competent authorities as required under Article 3.1 of the WTO Agreement on Safeguards.

Article 8.8: Compensation

1. The Party taking a bilateral safeguard measure shall, in consultation with the other Party, provide to the other Party mutually agreed trade liberalising compensation in the form of concessions having substantially equivalent trade effects or equivalent to the value of the additional customs duties expected to result from the measure. Such consultations shall begin within 30 days of the imposition of the measure.
2. If the Parties are unable to reach agreement on compensation within 30 days after the consultations commence, the exporting Party shall be free to suspend the application of substantially equivalent concessions to the trade of the Party applying the safeguard measure.

3. A Party shall notify the other Party in writing at least 30 days before suspending concessions under paragraph 2.

4. The obligation to provide compensation under paragraph 1 and the right to suspend substantially equivalent concessions under paragraph 2 shall terminate on the date of the termination of the safeguard measure.

Article 8.9: Provisional Bilateral Safeguard Measures

1. In critical circumstances, where delay would cause damage which would be difficult to repair, a Party may take a provisional bilateral safeguard measure, which shall take the form of the measure set out in subparagraph 2 (a) or (b) of Article 8.4 pursuant to a preliminary determination that there is clear evidence that increased imports of an originating good have caused or are threatening to cause serious injury to a domestic industry.

2. The Party shall deliver a written notice to the other Party prior to applying a provisional bilateral safeguard measure. Consultations between the Parties on the application of the provisional bilateral safeguard measure shall be initiated not later than seven days after the provisional bilateral safeguard measure is taken.

3. The duration of the provisional bilateral safeguard measure shall not exceed 180 days. During that period, the pertinent requirements of Article 8.6 shall be met. The duration of the provisional bilateral safeguard measure shall be counted as a part of the period referred to in paragraph 1 of Article 8.5.

4. The customs duty imposed as a result of the provisional bilateral safeguard measure shall be refunded if the subsequent investigation referred to in Article 8.6 does not determine that increased imports of the originating good have caused or threatened to cause serious injury to a domestic industry.

Article 8.10: Language of Communications

Written notice referred to in Article 8.7 and any other communication between the Parties shall be done in the English language.

Article 8.11: Cooperation

The Parties agree to provide cooperation relating to:

- (a) enhancing each Party's knowledge and understanding of the other Party's trade remedy laws, policies and practices; and

- (b) exchange of information on issues relating to:
 - (i) anti-dumping, safeguards and subsidies and countervailing measures;
 - (ii) international issues relating to the WTO Doha Round Rules negotiations; and
 - (iii) practices by the Parties' competent authorities in anti-dumping, safeguards and subsidies and countervailing investigations.

CHAPTER 9

COOPERATION

Article 9.1: Basic Principles

1. The Parties shall, in accordance with their applicable laws and regulations, promote cooperation under this Agreement for their mutual benefit in order to facilitate trade and investment between them and to promote the well-being of the people of both countries.

2. For this purpose, the Parties shall cooperate and, where necessary and appropriate, encourage and facilitate cooperation between entities such as business communities and academia.

Article 9.2: General Objectives

The framework for cooperative activities established under this Chapter is aimed *inter alia* at:

- (a) enhancing socio-economic development;
- (b) strengthening economic competitiveness;
- (c) advancing human resources development;
- (d) creating new opportunities for trade and investment, fostering innovation and encouraging research and development;
- (e) increasing and further developing the level of cooperation activities between the Parties in areas of mutual interest;
- (f) recognising the role of the private sector in promoting and building strategic alliances to encourage mutual economic growth and development;
- (g) strengthening and building on existing cooperative relationships;
- (h) promoting sustainable development; and
- (i) improving overall well-being of the people of both countries.

Article 9.3: Scope

1. Cooperation between the Parties under this Chapter will complement the cooperation between the Parties set out in other Chapters of this Agreement.
2. Areas of cooperation may include:
 - (a) trade and economy;
 - (b) research, development and innovation;
 - (c) science and technology;
 - (d) agriculture and food industry;
 - (e) sustainable forest management;
 - (f) mining and mining related industry;
 - (g) energy;
 - (h) small and medium enterprises;
 - (i) intellectual property;
 - (j) tourism;
 - (k) education and human capital development;
 - (l) culture;
 - (m) environment; and
 - (n) promotion of investment.
3. Cooperative activities will be agreed between the Parties and may include:
 - (a) exchanges of people and information;
 - (b) dialogues, conferences and seminars;
 - (c) contacts between scientists and academia;
 - (d) the development of joint research programs; and
 - (e) encouraging private sector cooperation.

4. Areas of cooperation may be developed through existing agreements and through appropriate implementing arrangements.

Article 9.4: Research, Development and Innovation

Cooperation in innovation, research and development will be focused on cooperative activities in sectors where mutual and complementary interests exist. Where appropriate, they will also promote partnerships in the support of the development of innovative products and services and activities to promote linkage, innovation and technology exchange.

Article 9.5: Environment

1. Recognising the importance of strengthening capacity to promote sustainable development with their three interdependent and mutually reinforcing components: economic growth, social development and environmental protection, the Parties agree to cooperate in the field of environment.

2. The Parties agree that it is inappropriate to enact or use their environmental laws, regulations, policies and practices for trade protectionist purposes; as well as it is inappropriate to relax, or fail to enforce or administer, their environment laws and regulations to encourage trade and investment.

3. The aim of cooperation will be the prevention and/or reduction of contamination and degradation of natural resources and ecosystems and rational use of the latter; through developing and endorsing mutually agreed special programmes and projects dealing, *inter alia*, with the transfer of knowledge and technology.

4. The intention of the Parties is to cooperate in environmental areas of common global or domestic concern, which may include, among others:

- (a) climate change;
- (b) biodiversity and conservation of natural resources;
- (c) management of hazardous chemicals;
- (d) air quality;
- (e) water management;
- (f) waste management;

- (g) marine and coastal ecological conservation and pollution control;
- (h) strategic environmental impact assessment;
- (i) mining practices and mines rehabilitation; and
- (j) improvement of environmental awareness.

5. In order to facilitate communication for purposes of this Article, each Party will designate a contact point no later than six months from the date of entry into force of this Agreement. Each Party will notify the other Party promptly of any change of contact point.

Article 9.6: Cooperation Committee

1. For the purposes of this Chapter, the Parties hereby establish a Cooperation Committee comprising representatives of each Party.

2. The Cooperation Committee shall be coordinated and co-chaired by:

- (a) in the case of Chile, the General Directorate of International Economic Affairs, Ministry of Foreign Affairs, or its successor; and
- (b) in the case of Malaysia, the Ministry of International Trade and Industry

3. In order to ensure the proper functioning of the Cooperation Committee, each Party will designate a contact point no later than six months from the date of entry into force of this Agreement. Each Party will notify the other Party promptly of any change of contact point.

4. The Cooperation Committee shall meet in or shortly after the first year of entry into force of this Agreement, and thereafter as agreed by the Parties.

5. The Cooperation Committee shall:

- (a) establish its operating procedures;
- (b) identify and discuss cooperative activities which might be undertaken under this Chapter;
- (c) review and monitor the implementation and operation of this Chapter;
- (d) exchange information on the field of cooperation;

- (e) undertake such other functions within the context of this Chapter to foster cooperation including establishing working groups as the Parties may agree; and
- (f) report periodically to the Joint Committee the results of its meetings.

Article 9.7: Costs of Cooperation

1. The implementation of cooperation under this Chapter shall be subject to the availability of funds and the applicable laws and regulations of each Party.

2. Costs of cooperation under this Chapter shall be borne by the Parties within the limits of their own capacities and through their own channels, in an equitable manner to be mutually agreed upon between the Parties.

Article 9.8: Dispute Settlement

Chapter 12 (Dispute Settlement) shall not apply to this Chapter.

CHAPTER 10

TRANSPARENCY

Article 10.1: Definition

For the purposes of this Chapter, **administrative ruling of general application** means an administrative or quasi-judicial ruling or interpretation that applies to all persons and fact situations that fall generally within its ambit and that establishes a norm of conduct but does not include:

- (a) a determination or ruling made in an administrative proceeding that applies to a particular person or good of the other Party in a specific case; or
- (b) a ruling that adjudicates with respect to a particular act or practice.

Article 10.2: Contact Points

1. The contact point referred in Annex 10 shall facilitate communications between the Parties on any matter covered by this Agreement.
2. On the request of the other Party, the contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communication with the requesting Party.

Article 10.3: Publication

1. Each Party shall ensure, wherever possible in electronic form, that its laws, regulations, procedures and administrative rulings of general application respecting any matter covered by this Agreement are promptly published or otherwise made available in such a manner as to enable interested persons and the other Party to become acquainted with them.
2. To the extent possible, each Party shall:
 - (a) publish in advance any such measure referred to in paragraph 1 that it proposes to adopt; and
 - (b) provide, where appropriate, interested persons and the other Party a reasonable opportunity to comment on such proposed measures.

Article 10.4: Notification and Provision of Information

1. To the maximum extent possible, each Party shall notify the other Party of any proposed or actual measure that the Party considers might materially affect the operation of this Agreement or otherwise substantially affect the other Party's interests under this Agreement.
2. On request of the other Party, a Party shall, where possible, provide information and respond to questions pertaining to any actual or proposed measure that the requesting Party considers might materially affect the operation of this Agreement or otherwise substantially affect its interests under this Agreement, regardless of whether the requesting Party has been previously notified of that measure.
3. Any notification, request or information under this Article shall be provided to the other Party through the relevant contact points.
4. Any notification or information provided under this Article shall be without prejudice as to whether the measure is consistent with this Agreement.

Article 10.5: Administrative Proceedings

With a view to administering in a consistent, impartial and reasonable manner its measures referred to in Article 10.3, each Party shall ensure that in its administrative proceedings in which these measures are applied to particular persons or goods of the other Party in specific cases that :

- (a) wherever possible, persons of the other Party that are directly affected by a proceeding are provided reasonable notice, in accordance with its domestic procedures, when a proceeding is initiated, including a description of the nature of the proceeding, a statement of the legal authority under which the proceeding is initiated, and a general description of any issues in question;
- (b) such persons are afforded a reasonable opportunity to present facts and arguments in support of their positions prior to any final administrative action, when time, the nature of the proceeding and the public interest permit; and
- (c) its procedures are in accordance with domestic law.

Article 10.6: Review and Appeal

1. Each Party shall establish or maintain judicial, quasi-judicial or administrative tribunals or procedures for the purpose of the prompt review and, where warranted,

correction of final administrative actions regarding matters covered by this Agreement. Such tribunals shall be impartial and independent of the office or authority entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.

2. Each Party shall ensure that, in any such tribunals or procedures, the parties to the proceeding are provided with the right to:

- (a) a reasonable opportunity to support or defend their respective positions;
and
- (b) a decision based on the evidence and submissions of record or, where required by domestic law, the record compiled by the administrative authority.

3. Each Party shall ensure, subject to appeal or further review as provided in its domestic law, that such decisions shall be implemented by, and shall govern the practice of, the office or authority with respect to the administrative action that is the subject of the decision.

ANNEX 10

CONTACT POINTS

For purposes of Article 10.2, the Contact Points shall be:

- (a) in the case of Chile, the Asia and Oceania Department of the General Directorate of International Economic Affairs, Ministry of Foreign Affairs, or its successor; and
- (b) in the case of Malaysia, the Ministry of International Trade and Industry.

CHAPTER 11

INSTITUTIONAL PROVISIONS

Article 11.1: Joint Committee

1. The Parties hereby establish a Joint Committee.
2. The Joint Committee may meet at the level of Ministers or senior officials, as mutually determined by the Parties. The Joint Committee shall be co-chaired by senior government officials of the Parties, unless the Parties agree to convene the meeting at ministerial level. Each Party shall be responsible for the composition of its delegation.
3. The functions of the Joint Committee shall be to:
 - (a) review the general functioning of this Agreement;
 - (b) review, consider and, as appropriate, decide on specific matters related to the operation, application and implementation of this Agreement, including matters reported by committees or working groups established under this Agreement;
 - (c) supervise the work of committees, working groups and contact points established under this Agreement;
 - (d) seek to resolve differences or disputes that may arise regarding the interpretation or application of this Agreement including matters referred to the Joint Committee pursuant to Article 12.4; and
 - (e) carry out any other functions as the Parties may agree.
4. The Joint Committee may:
 - (a) consider and recommend to the Parties any amendment to this Agreement or other modification or rectification to the commitments therein, in accordance to the necessary domestic legal procedures by each Party⁷;

⁷Chile shall implement any amendment or other modification approved by the Joint Committee of the following provisions of the Agreement through executive agreements, in accordance with the *Constitución Política de la República de Chile*:

- (i) the Schedules attached to Annex 3 (Reduction and/or Elimination of Customs Duties), to accelerate tariff elimination; and
- (ii) the rules of origin established in Annexes 4-A (Operational Certification Procedure) and 4-B (Product Specific Rules).

- (b) adopt any decisions and recommendations of the committees if necessary;
- (c) as appropriate, issue interpretations of the Agreement;
- (d) seek technical advice of relevant experts on matters covered by this Agreement; and
- (e) delegate any of its functions to committees and working groups established under this Agreement.

Article 11.2: Meetings of the Joint Committee

1. The Joint Committee shall meet:
 - (a) within the first year of entry into force of this Agreement; and
 - (b) thereafter at such frequency as the Parties may agree.
2. The Joint Committee shall meet alternately in the territory of each Party, unless the Parties otherwise agree.
3. The Joint Committee shall also meet in special session within 30 days of the request of a Party, with such sessions to be held in the territory of the other Party or at such location as may be agreed by the Parties.
4. All decisions of the Joint Committee shall be taken by mutual agreement.
5. The Joint Committee may adopt its own rules of procedure

CHAPTER 12

DISPUTE SETTLEMENT

Article 12.1: Scope and Coverage

Unless otherwise provided in this Agreement, this Chapter shall apply to the avoidance or settlement of disputes between the Parties concerning the interpretation, implementation or application of this Agreement, wherever a Party considers that:

- (a) a measure of the other Party is inconsistent with its obligations under this Agreement; or
- (b) the other Party has otherwise failed to carry out its obligations under this Agreement.

Article 12.2: Choice of Forum

1. Where a dispute regarding any matter arises under this Agreement and under another agreement to which the Parties are party, the complaining Party may select the forum in which to settle the dispute.
2. Once the complaining Party has selected a particular forum for settling a matter, that forum shall be used to the exclusion of other fora in respect of that matter.
3. For the purposes of this Article, the complaining Party shall be deemed to have selected a forum when it has requested the establishment of, or referred a matter to an arbitral tribunal.

Article 12.3: Consultations

1. Either Party may request for consultations with the other Party concerning the interpretation, implementation or application of this Agreement in accordance with Article 12.1, including a matter relating to a measure that the other Party proposes to take (hereinafter referred to in this Chapter as “proposed measures”).
2. A request for consultations shall be in writing setting out the reasons for the request including identification of the measure at issue and an indication of the legal basis for the complaint, and providing sufficient information to enable examination of the matter. The Party to which the request is made shall reply to the request in writing within 10 days after the date of its receipt, and shall enter into consultations within a period of no more than:

- (a) 15 days after the date of receipt of the request for matters concerning perishable goods; or
 - (b) 30 days after the date of receipt of the request for all other matters.
3. The Parties shall make every effort to reach a mutually satisfactory resolution of the matter through consultations.
4. A Party may request the other Party to make available for the consultations personnel of its government agencies or other regulatory bodies who have expertise in the matter under consultations.
5. Consultations shall be confidential and without prejudice to the rights of either Party in any further proceedings.

Article 12.4: Referral of Matters to the Joint Committee

1. If the Parties fail to resolve a matter within 60 days of the delivery of a request for consultations under paragraph 2 of Article 12.3, or 20 days in cases of urgency including those where the matter concerns perishable goods, the requesting Party may refer the matter to the Joint Committee by delivering written notification to the other Party.
2. The Joint Committee shall promptly meet and endeavour to reach a mutually satisfactory resolution of the dispute.
3. The Joint Committee may:
- (a) call on such technical advisers or create such working groups or expert groups as it deems necessary; or
 - (b) make recommendations,
- as may assist the Parties to reach a mutually satisfactory resolution of the dispute.

Article 12.5: Good Offices, Conciliation and Mediation

1. The Parties may at any time agree to good offices, conciliation or mediation. They may begin at any time and be terminated at any time.
2. If the Parties agree, good offices, conciliation or mediation may continue while the dispute proceeds for resolution before an arbitral tribunal is designated under Article 12.8.

3. Proceedings involving good offices, mediation and conciliation and positions taken by the Parties during these proceedings, shall be confidential and without prejudice to the rights of either Party in any further proceedings.

Article 12.6: Establishment of Arbitral Tribunals

1. The complaining Party may request in writing for the establishment of an arbitral tribunal if:

- (a) the Party complained against does not enter into consultations within 30 days after the date of its receipt of the request for consultations under Article 12.3;
- (b) the Parties fail to resolve the matter within 60 days after the day of receipt of the request for consultations, or 30 days regarding a matter concerning perishable goods, if there is no referral to the Joint Committee under Article 12.4; or
- (c) the Parties fail to resolve the matter within 30 days after the day of the referral of the matter to the Joint Committee, or 15 days regarding a matter concerning perishable goods.

2. A Party shall not refer a matter concerning a proposed measure to an arbitral tribunal.

3. The request to establish an arbitral tribunal shall identify:

- (a) the specific measures at issue;
- (b) the legal basis of the complaint including the provisions of this Agreement alleged to have been breached or any other relevant provisions; and
- (c) the factual basis for the complaint.

4. The arbitral tribunal shall be established and perform its functions in a manner consistent with the provisions of this Chapter.

5. The date of the establishment of an arbitral tribunal shall be the date on which the chair is appointed

Article 12.7: Terms of Reference

Unless the Parties otherwise agree within 20 days from the date of receipt of the request for the establishment of the arbitral tribunal, the terms of reference of the arbitral tribunal shall be:

“To examine, in the light of the relevant provisions of this Agreement, the matter referred to in the request for the establishment of an arbitral tribunal pursuant to Article 12.6, to make findings of law and fact and determinations on whether the measure is not in conformity with the Agreement and to issue a written report for the resolution of the dispute. If the Parties agree, the arbitral tribunal may make recommendations for resolution of the dispute.”

Article 12.8: Composition of Arbitral Tribunals

1. An arbitral tribunal shall consist of three arbitrators. Each Party shall appoint one arbitrator who may be its national within 30 days of the receipt of the request to establish an arbitral tribunal.
2. The Parties shall designate by common agreement the third arbitrator, who shall be the Chair of the arbitral tribunal. If a Party has not appointed an arbitrator pursuant to paragraph 1 or if the Chair of the arbitral tribunal has not been designated by the Parties within 45 days of the receipt of the request to establish an arbitral tribunal, either Party may request the Director-General of the WTO to appoint the arbitrator or arbitrators not yet appointed.
3. If the Director-General of the WTO has not appointed the arbitrator or arbitrators within 30 days after the date of the request, the arbitrator or arbitrators not yet appointed shall be chosen within 15 days by the arbitrator or arbitrators that were appointed in accordance with paragraph 1.
4. All arbitrators shall:
 - (a) have expertise or experience in law, international trade or other matters covered by this Agreement;
 - (b) be chosen strictly on the basis of objectivity, reliability and sound judgment;
 - (c) be independent of, and not be affiliated with or receive instructions from either Party; and

- (d) comply with a code of conduct, to be provided in the Rules of Procedure referred to in Article 12.15.

5. The Chair of the Arbitral Tribunal shall:

- (a) not be a national of a Party;
- (b) not have his or her usual place of residence in the territory of a Party;
- (c) not have dealt with the matter in any capacity; and
- (d) not be employed by either Party.

6. If an arbitrator appointed under this Article resigns or becomes unable to act, a successor arbitrator shall be appointed within 15 days in accordance with the appointment procedure provided for in paragraphs 1 and 2, which shall be applied, respectively, *mutatis mutandis*. The successor shall have all the powers and duties of the original arbitrator. The work of the arbitral tribunal shall be suspended for a period beginning on the date the original arbitrator resigns or becomes unable to act. The work of the arbitral tribunal shall resume on the date the successor is appointed.

7. Each Party shall bear the cost of its appointed arbitrator and its own expenses. The cost of the Chair of an arbitral tribunal and other expenses associated with the conduct of the proceedings shall be borne by the Parties in equal shares.

Article 12.9: Proceedings of Arbitral Tribunals

1. The arbitral tribunal shall deliberate in closed sessions. Unless otherwise agreed by the Parties, the arbitral tribunal hearings with the Parties shall be open to the public except where information designated as confidential by a Party is being discussed.

2. The Parties shall be given the opportunity to provide at least one written submission and to attend any of the presentations, statements or rebuttals in the proceedings. All information or written submissions submitted by a Party to the arbitral tribunal, including any comments on the initial report and responses to questions put by the arbitral tribunal, shall be made available to the other Party. Unless the disputing Parties otherwise agree, the arbitral tribunal proceedings shall be conducted in accordance with the Rules of Procedure for arbitral tribunals referred to in Article 12.15.

3. The arbitral tribunal should consult with the Parties as appropriate and provide adequate opportunities for the development of a mutually satisfactory resolution.

4. The arbitral tribunal shall aim to make its decisions, including its report, by consensus but may also make its decisions, including its report, by majority vote.

5. After notifying the Parties, and subject to such terms and conditions as the Parties may agree, the arbitral tribunal may seek information from any relevant source and may consult experts to obtain their opinion or advice on certain aspects of the matter. The arbitral tribunal shall provide the Parties with a copy of the information or technical advice received and an opportunity to provide comments. Where the arbitral tribunal takes the information or technical advice into account in the preparation of its report, it shall also take into account any comments by the Parties on the information or technical advice.

6. The deliberations of the arbitral tribunal and the documents submitted to it shall be kept confidential.

Article 12.10: Suspension or Termination of Proceedings

1. The Parties may agree that the arbitral tribunal suspend its work at any time for a period not exceeding 12 months from the date of such agreement. In the event of such a suspension, the time-frames set out in this Chapter shall be extended by the amount of time that the work was suspended. If the work of the arbitral tribunal has been suspended for more than 12 months, the authority for establishment of the arbitral tribunal shall lapse unless the Parties agree otherwise.

2. The Parties may agree to terminate the proceedings of the arbitral tribunal by jointly notifying the chair of the arbitral tribunal that a mutually agreed solution to the dispute has been found at any time before the issuance of the report to the Parties.

Article 12.11: Initial Report

1. The initial report of the arbitral tribunal shall be drafted without the presence of the Parties. The arbitral tribunal shall base its report on the relevant provisions of this Agreement and the submissions and arguments of the Parties and may take into account any other relevant information provided to the arbitral tribunal in accordance with paragraph 5 of Article 12.9.

2. Unless the Parties otherwise agree, the arbitral tribunal shall, within 120 days, or within 60 days in cases of urgency, including those which concern perishable goods, after the date of its establishment, submit to the Parties its initial report.

3. The initial report shall contain:

- (a) both the descriptive parts summarising the submissions and arguments of the Parties;
- (b) the findings;

- (c) the determination of the arbitral tribunal as to whether a disputing Party has not conformed with its obligations under this Agreement or any other determination requested in the terms of reference; and
 - (d) if the Parties agree, the arbitral tribunal may make recommendations for resolution of the dispute in its report.
4. The findings and determinations of the arbitral tribunal and, if applicable, any recommendations, cannot add to or diminish the rights and obligations of the Parties to the dispute provided in this Agreement.
 5. In exceptional cases, if the arbitral tribunal considers it cannot release its initial report within 120 days or within 60 days in cases of urgency, it shall inform the disputing Parties in writing of the reasons for the delay together with an estimate of the period within which it will issue its report. Any delay shall not exceed a further period of 30 days unless the Parties otherwise agree.
 6. Arbitrators may furnish separate opinions on matters not unanimously agreed.
 7. A Party may submit written comments to the arbitral tribunal on its initial report within 15 days of the presentation of the initial report.
 8. After considering any written comments on the initial report, the arbitral tribunal may reconsider its report and make any further examination it considers appropriate.

Article 12.12: Final Report

1. The arbitral tribunal shall issue its final report, within 30 days after the date of submission of the initial report. The report shall include any separate opinions on matters not unanimously agreed, not disclosing which arbitrators are associated with majority or minority opinions.
2. The final report of the arbitral tribunal shall be available to the public within 15 days after the date of issuance, subject to the requirement to protect confidential information.
3. The report of the arbitral tribunal shall be final and binding on the Parties.

Article 12.13: Implementation

1. The Party complained against shall immediately eliminate the non-conformity as determined in the report of the arbitral tribunal, or if this is not practicable, within a reasonable period of time. The reasonable period of time shall be mutually determined by the Parties, or where the Parties fail to agree on the reasonable period of time within

45 days of the issuance of the arbitral tribunal's final report, either Party may refer the matter to an arbitral tribunal, as provided for in paragraph 7 of Article 12.14 which shall determine the reasonable period of time.

2. Where there is disagreement between the Parties as to whether the Party complained against has eliminated the non-conformity as determined in the report of the arbitral tribunal within the reasonable period of time as determined pursuant to paragraph 1, either Party may refer the matter to an arbitral tribunal as provided for in paragraph 7 of Article 12.14.

Article 12.14: Non-Implementation

1. If the Party complained against notifies the complaining Party that it is impracticable to comply, or the arbitral tribunal to which the matter is referred pursuant to paragraph 2 of Article 12.13 confirms that the Party complained against has failed to eliminate the non-conformity as determined in the report of the arbitral tribunal within the reasonable period of time that Party shall, if so requested, enter into negotiations with the complaining Party with a view to reaching a mutually satisfactory compensation.

2. If there is no agreement on satisfactory compensation within 20 days after the date of receipt of the request mentioned in paragraph 1, the complaining Party may suspend the concessions or other obligations under this Agreement, after giving 30 days advance notification of such suspension to the Party complained against. Such notification may only be given 20 days after the date of receipt of the request mentioned in paragraph 1.

3. The compensation referred to in paragraph 1 and the suspension referred to in paragraph 2 shall be temporary measures. Neither compensation nor suspension is preferred to full elimination of the non-conformity as determined in the report of the arbitral tribunal. The suspension shall only be applied until such time as the non-conformity is fully eliminated, or a mutually satisfactory solution is reached.

4. In considering what concessions or other obligations to suspend under paragraph 2:

- (a) the complaining Party should first seek to suspend concessions or other obligations in the same sector or sectors as that affected by the measure that the arbitral tribunal has found to be inconsistent with this Agreement; and
- (b) the complaining Party may suspend concessions or other benefits in other sectors if it considers that it is not practicable or effective to suspend in the same sector. The notification of such suspension pursuant to paragraph 2 shall indicate the reasons on which it is based.

5. The level of suspension referred to in paragraph 2 shall be equivalent to the level of the nullification or impairment.

6. If the Party complained against considers that the requirements for the suspension of concessions or other obligations by the complaining Party set out in paragraphs 2 to 5 have not been met, it may refer the matter to an arbitral tribunal.

7. The arbitral tribunal that is established for the purposes of this Article or Article 12.13 shall, wherever possible, will have, as its arbitrators, the arbitrators of the original arbitral tribunal. If this is not possible, then the arbitrators to the arbitral tribunal that is established for the purposes of this Article or Article 12.13 shall be appointed pursuant to Article 12.8. The arbitral tribunal established under this Article or Article 12.13 shall issue its report within 60 days after the date when the matter is referred to it. When the arbitral tribunal considers that it cannot issue its report within the aforementioned 60 days period, it may extend that period for a maximum of 30 days with the consent of the Parties. The report shall be available to the public within 15 days after the date of issuance, subject to the requirement to protect confidential information. The report shall be final and binding on the Parties.

Article 12.15: Rules of Procedure

The Joint Committee shall adopt the Rules of Procedure which provide for the details of the rules and procedures of arbitral tribunals established under this Chapter, upon the entry into force of this Agreement. Unless the Parties otherwise agree, the arbitral tribunal shall follow the Rules of Procedure adopted by the Joint Committee and may, after consulting the Parties, adopt additional rules of procedure not inconsistent with the rules adopted by the Joint Committee.

Article 12.16: Application and Modification of Rules and Procedures

Any time period, or other rules and procedures for arbitral tribunals provided for in this Chapter, including the Rules of Procedure referred to in Article 12.15, may be modified by mutual consent of the Parties. The Parties may also agree at any time not to apply any provision of this Chapter.

CHAPTER 13

GENERAL EXCEPTIONS

Article 13.1: General Exceptions

1. For the purposes of Chapters 3 to 7 (Trade in Goods, Rules of Origin, Customs Administration, Sanitary and Phytosanitary Measures, and Technical Barriers to Trade), Article XX of GATT 1994 and its interpretative notes are incorporated into and made part of this Agreement, *mutatis mutandis*.

2. Nothing in this Agreement shall be construed to prevent a Party from taking action authorised by the WTO Dispute Settlement Body. A Party taking such action shall inform the Joint Committee to the fullest extent possible of measures taken and of their termination.

Article 13.2: Security Exceptions

1. Nothing in this Agreement shall be construed:

- (a) to require a Party to furnish any information the disclosure of which it considers contrary to its essential security interests;
- (b) to prevent a Party from taking any action which it considers necessary for the protection of its essential security interests:
 - (i) relating to fissionable materials or the materials from which they are derived;
 - (ii) relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials, or relating to the supply of services, as carried on directly or indirectly for the purpose of supplying or provisioning a military establishment; or
 - (iii) taken in time of war or other emergency in international relations; or
- (c) to prevent a Party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.

2. A Party taking action under subparagraphs 1(b) and (c) shall, to the extent possible, inform the Joint Committee of measures taken and of their termination.

Article 13.3: Taxation

1. Except as provided in this Article, nothing in this Agreement shall apply to taxation measures.
2. This Agreement shall only grant rights or impose obligations with respect to taxation measures where corresponding rights or obligations are also granted or imposed under the WTO Agreement.
3. Nothing in this Agreement shall affect the rights and obligations of the Parties under any taxation agreement in force between the Parties.
4. In the event of any inconsistency relating to a taxation measure between this Agreement and any taxation agreement, the latter shall prevail.
5. In the case of any consultations between the Parties about whether an inconsistency relates to a taxation measure, the competent authorities under the taxation agreement shall have sole responsibility for resolving the case.
6. For the purposes of this Article:
 - (a) **taxation measures** do not include any “customs duties” as defined in Article 2.1 (c); and
 - (b) **taxation agreement** means the *Agreement between the Government of the Republic of Chile and the Government of Malaysia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*, including its Protocol, or other international taxation agreement or arrangement in force between the Parties.

Article 13.4: Balance-of-Payments Measures on Trade in Goods

1. The Parties shall endeavour to avoid the imposition of restrictive measures for balance-of-payments purposes.
2. Any measure taken for balance-of-payments purposes shall be in accordance with that Party's rights and obligations under GATT 1994, including the *Understanding on the Balance-of-Payments Provisions of the GATT 1994*. When adopting such measures, the Party shall immediately consult with the other Party.
3. Nothing in this Chapter shall be regarded as altering the rights enjoyed and obligations undertaken by a Party as a party to the *Articles of Agreement of the International Monetary Fund*, as may be amended.

Article 13.5: Disclosure of Information

1. Each Party shall, in accordance with its laws and regulations, maintain the confidentiality of information provided in confidence by the other Party pursuant to this Agreement.

2. Nothing in this Agreement shall be construed as requiring a Party to furnish or allow access to confidential information the disclosure of which would impede law enforcement or otherwise be contrary to the public interest or which would prejudice the legitimate commercial interests of particular enterprises, public or private.

CHAPTER 14
FINAL PROVISIONS

Article 14.1: Annexes and Footnotes

The annexes and footnotes to this Agreement shall constitute an integral part of this Agreement.

Article 14.2: Amendments

1. The Parties may agree, in writing, on any amendment or modification of or addition to this Agreement.
2. When so agreed, and approved in accordance with the necessary domestic legal procedures of each Party, an amendment, modification or addition shall constitute an integral part of this Agreement. Such amendment shall enter into force on a date to be agreed by the Parties.

Article 14.3: Amendment of the WTO Agreement

Unless otherwise provided in this Agreement, if any provision of the WTO Agreement that the Parties have incorporated into this Agreement is amended, the Parties shall consult on whether to amend this Agreement.

Article 14.4: General Review

The Parties may undertake a general review of the Agreement, with a view to furthering its objectives, within five years of the entry into force of this Agreement and at least every five years thereafter.

Article 14.5: Future Negotiations on Trade in Services and Investment

Unless otherwise agreed, no later than two years after the entry into force of this Agreement, the Parties shall undertake consultations with regard to the inclusion of a Chapter on Services and a Chapter on Investment to this Agreement, on a mutually advantageous basis.

Article 14.6: Future Negotiations on Financial Services

Unless otherwise agreed, no later than two years after the entry into force of this Agreement, the Parties shall commence negotiations on the question of including a separate and self-contained Chapter on Financial Services to this Agreement, on a mutually advantageous basis.

Article 14.7: Entry into Force and Termination

1. The entry into force of this Agreement is subject to the completion of necessary domestic legal procedures by each Party.
2. This Agreement shall enter into force 60 days after the date on which the Parties exchange written notifications that such procedures have been completed or after such other period as the Parties may agree.
3. Either Party may terminate this Agreement by written notification to the other Party. This Agreement shall expire 12 months after the date of such notification.

Article 14.8: Authentic Texts

This Agreement shall be done in English and Spanish languages, all being equally authentic. In case of any divergence, the English text shall prevail.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective governments, have signed this Agreement.

DONE at _____, in duplicate, this ____ day of _____, 2010.

**FOR THE GOVERNMENT
OF MALAYSIA**

**FOR THE GOVERNMENT
OF THE REPUBLIC OF CHILE**