

English edition

RULES, REGULATIONS & CUSTOMS DECLARATION FORMS RELATED TO THE ECOWAS TRADE LIBERALISATION SCHEME

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RULES ON THE PROOF AND VERIFICATION OF THE ORIGIN OF COMMUNITY GOODS AND PROCEDURES APPLICABLE TO THE MOVEMENT OF GOODS

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WITHIN THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

In accordance with Article 15 paragraph 2 and Article 23 paragraph 2 of the ECOWAS Treaty, stipulating that Member States shall take the necessary measures to harmonise their customs regulations and procedures, and in accordance with Article 12 of the Protocol relating to the definition of products originating from Member States, the rules and regulations below shall apply to the establishment of the proof and verification of the origin and the movement of goods within the Community.

SECTION I

RULES ON THE PROOF AND VERIFICATION OF GOODS ORIGINATING FROM THE COMMUNITY

CHAPTER I: The following shall be proof of goods originating from ECOWAS Member States.

Article 1

Article 1 - Goods satisfying the conditions defined in Articles 2 and 5 of the Protocol on the definition of the concept of goods originating from the Community.

Article 2

Article 2 - Goods imported from Member States shall enjoy preferential treatment (stand-still, reduction and abolition of customs tariffs) attributed to their origin only if origin and direct dispatch of the said goods from the producing country to the importing country are duly established.

The origin of goods originating from Member States shall be established through the presentation of an ECOWAS certificate of origin which shall accompany the said goods.

The ECOWAS certificate of origin shall be issued by competent authorities of the exporting Member States where the goods were produced and countersigned by the customs departments of that Member State.

The ECOWAS certificate of origin shall be issued upon request by the manufacturer, the exporter or the supplier (see annex for sample).

Article 3

There shall be, at least, 2 copies of the ECOWAS certificate of origin; the original, which shall be arranged in colour, shall accompany the goods, and the duplicate shall be kept by the competent authority.

Article 4.

The ECOWAS certificate of origin shall be used for the direct dispatch of goods originating from

Member States should products originating from one Member State, as a result of a given customs regime in the initial importing member country, a movement certificate shall be used.

Article 5

The ECOWAS movement certificate shall be issued by the competent authority appointed for the purpose, by the re-exporting member State, and countersigned by the customs services of that State. Application for a movement certificate shall be made on a pre-established form (see sample in annex).

There shall be two copies of the movement certificate; the original which is pink in colour, shall accompany the good, and the duplicate kept by the competent authority.

Article 6.

The certificate of origin as defined under Article 2 of these Regulations, and the movement certificate defined Article 5, shall come into force as from 29th May, 1977.

CHAPTER II

VERIFICATION OF THE COMMUNITY ORIGIN OF PRODUCTS

Article 7

The ECOWAS certificate of origin, prepared in compliance with the provisions of Chapter I, Article 2, shall be the proof of the community origin of non-manufactured goods.

Article 8

In addition to producing the ECOWAS certificate of origin for manufactured goods, such goods, whenever technically possible, should carry either on themselves or in their inner packing, indelible markings allowing for their identification their inner packing, the indelible label "Made in (name of ECOWAS Member State)" or any other marking allowing for their identification.

Article 9

In cases of doubt, the Customs authorities of the Member State of importation shall request a verification of the certificate of origin or the movement certificate, as the case may be, by returning them to the issuing customs authorities.

CHAPTER III

RULES APPLICABLE TO PACKING

Article 10.

If for the purposes of assessment and payment of customs duties a Member State treats goods and packings separately, a certificate of origin or a movement certificate drawn up in conformity with the provisions of Article 2 or Article 5 of this Regulation shall be produced.