

Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

What is it and what does it mean for New Zealand exporters?

For an overview of the countries involved, [see here](#).

Exports of New Zealand origin goods to countries party to CPTPP, which have ratified the agreement, will enjoy preference. This means that the importers of goods from CPTPP countries, including New Zealand, will pay a lower percentage of duty than the standard duty rate on many goods.

Which countries does CPTPP involve and when does CPTPP come into effect?

CPTPP enters into force on 30 December 2018.

New Zealand, Australia, Canada, Japan, Mexico, Singapore and Viet Nam have ratified the agreement, so the benefits of CPTPP will apply in these countries.

Peru is expected to ratify early in 2019, with Chile, Brunei and Malaysia expected to ratify by mid-2019.

How can I find out whether there is a preferential duty rate under CPTPP for our goods?

1. You will need the correct HS Code sub heading (1st 6 digits of the HS Code, New Zealand statistical export code)
2. Not all countries will offer the same preference (reduced duty rate) to every country in CPTPP
3. Look up on the [official tariff finder website](#) to check whether there is a duty preference under CPTPP for your goods. When New Zealand has more than one trade agreement with the country goods are being exported to, you will also be able to use this tool to compare which agreement offers the best duty preference.

It would be advisable to cross reference this with the actual CPTPP Tariff schedules (2-D annexes)

How do I determine whether our goods will meet origin requirements under CPTPP?

Read [Chapter 3, Section A, Rules of Origin](#).

Wholly obtained goods are only those which meet the criteria under Article 3.3. All processed and manufactured goods will be required to satisfy the Product Specific Rules of Origin as specified in [Annex 3-D](#).

There is a separate [schedule for motor vehicle related goods](#)

Where possible it is recommended that goods meet the Change of Tariff classification rules.

Having determined which origin criterion a good would qualify under, the exporter is required to keep records supporting the option selected and present these in the event of a post entry audit. Details of this obligation is set out in Chapter 3, Section B, Article 3.26 (Page 3-19, 20).

Are there any other requirements to qualify for preferential duties under CPTPP?

Yes. Goods need to be consigned directly from New Zealand to the importing party. Goods may be transhipped via ports in other countries en-route. For details of the limitations and provisions refer to Chapter 3, Section A, Article 3.18. (Page 3-15)

How do I show that our goods are of New Zealand Origin? Is a Certificate of Origin required? Does the Chamber of Commerce stamp the Certificate of Origin?

1. Yes, the exporter will need to provide a declaration to the importer referred to under CPTPP as a 'certification of origin' for preference under CPTPP to be applied.
2. No, there is no prescribed template or 'form' for making the 'certification of origin' declaration. In fact CPTPP expressly states there should be no set 'form' or 'template'. Reference Chapter 3, Section B, Article 3.20, Paragraph 3.a (Page 3-16) However, there is a set requirement for information and the declaration text – refer to the next question.
3. No, there is no requirement for the Chamber of Commerce to certify a CPTPP certification of origin. The CPTPP certification of origin made by an exporter is their responsibility. It is recommended that exporters fully understand the potential consequences of making a false statement, even if unwittingly. These are set out in Chapter 3, Section B, Articles 3.24 – 3.31 (Pages 3-18 to 3-25)
4. However, if an importer requested the Chamber of Commerce to stamp an exporter's certification of origin, the Chamber may do so. The Chamber would require the statement to first be signed by the exporter, to be on the exporter's letterhead and may require supporting documents to confirm that the goods meet the claimed origin criterion.

So, if there is no Certificate of Origin form, how do I format a CPTPP certification of origin?

There are two options for a CPTPP certification of origin.

- a. A consignment-based document – one required for each consignment. Benefits:
 - i. Keep track of documents and the related records to support origin claim together with the other consignment related files.
 - ii. Ideal for one off sales, irregular exports to a consignee, new importer, sales involving a 3rd party.
- b. A blanket document covering multiple shipments for a period of up to 12 months. Best suit:
 - i. Regular shipments of exactly the same goods to the same importer.

The minimum information required is outlined in Chapter 3, Annex 3-B (Pages 3-28, 29)

For a consignment-based Certification of Origin, the exporter could add the HS code (6 digit sub heading), the producer details (when the exporter is not the producer), the relevant origin criterion for each good and the declaration text to the commercial invoice, which would already provide the exporter and importer details.

Alternatively, each exporter could create their own 'template' to populate the required data for either each shipment of a blanket period, if that option were elected, as set out in Chapter 3, Annex 3-B (Pages 3-28, 29)

Note: the certifier's (person signing the declaration statement) name, address (including country), telephone number and email address is required on the 'certification of origin' document. Reference: Chapter 3, Annex 3-B Paragraph 2 (Page 3-28).

We are required to state the Origin Criterion for each good, but there are no Origin Codes. How do we do this?

How to identify the applicable origin criterion is not specified in the CPTPP. At this time there are no agreed and notified origin codes. In their absence, the recommendation is to specify the applicable article.

For example:

- Wholly obtained or produced exclusively from originating materials (as specified in Article 3.3): Article 3.2 (a)
- Produced entirely in territory of one or more parties exclusively from originating materials (as specified in Article 3.3): Article 3.2(b)
- Manufactured goods meeting Product Specific Rule as outlined in Annex 3-D: Article 3.2 (c)

Reference: Chapter 3, Section A, Article 3.2 (Page 3-2).

May the Certification of Origin be in electronic format (pdf)?

Yes. It is recommended that an electronic format of the certification of origin statement is presented in colour and that signatures are done in blue in preference to black ink and signature images are clear.

Reference: Chapter 3, Section B, Article 3.20 Paragraph 3.b (Page 3-16).

Reminder: claiming preference under a free trade agreement is a privilege not a right. When a New Zealand exporter provides a 'certification of origin' it is their responsibility to ensure their goods meet the requirements of the origin criterion they have opted to select. It is recommended that you read and fully understand [Chapter 3](#) and [Annex 3-D](#) prior to completing a 'certification of origin'.

Full information about CPTPP and aspects other than origin are available [here](#).