

**Stakeholders’ Consultations for India-UK ETP- Rules of Origin**

**Questionnaire[[1]](#footnote-1)**

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| **Name of the** **Institution/Organisation/Industry/ Company** | **Descriptions of Products being exported/imported with their ITC(HS)** |
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1. **Wholly Obtained:**
2. Do you have any suggestions on inclusion of any other products to the list of Wholly obtained or produced, which at present is not there in any of the previous agreements of India?

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1. Do you have any suggestions on the wholly obtained products included in UK’s agreements?

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1. **Minimal operations:**
2. Do you have any suggestions on inclusion/exclusion of a particular minimal operations/ procedure, which at present is not there in any of the previous agreements of India?

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1. Do you have any suggestions on exclusion of a particular minimal operations/ procedure, which at present is not there in any of the previous agreements of UK?

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1. **Product Specific Rules of Origin (PSRs)**
2. Please specify the product specific rules of origin that should be applicable on your product (viz. CC, CTH, CTSH, RVC or CC/CTH/CTSH +RVC , CC/CTH/CTSH or RVC, specific process) along the level of HS code at which it should be applicable (HS 2/4/6- digit). Kindly provide adequate justification for your suggestion.
* *In case of RVC(value addition criteria) please specify the appropriate percentage too( 3(h)in the questionnaire may be seen for formula).*

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1. Do you wish to have a sectoral approach in sectors like Chemicals, Textiles and Clothing etc. in terms of Specific Process Test? If yes, why? What in your view should be the formulation of the Specific Process Test(s)? Please specify/elaborate.

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1. Would the inclusion of a chemical reaction rule applicable on products under Chapter 27-40 be acceptable to you? If yes, please provide the specifications of the rules/processes applicable. Kindly provide adequate justification for your suggestion.

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1. If a chemical reaction rule/process is not acceptable, what alternative PSR could be suggested for your product. Also, provide an adequate justification, why chemical reaction rule is not acceptable?

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1. If a chemical reaction rule is not acceptable by you for your product and UK insists on having a chemical reaction rule or any other process, them what would be your preferred alternative rule/process?

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1. What criteria is used by your organisation/industry/company to calculate the value-added content in your products? Please specify the formula and the terms used in the formula, if any.

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1. What is the range of value addition that you will be able to meet? Please provide an adequate justification.

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1. For estimation of Value-added content, India and UK have different formulations in their FTAs. Which formulation would you prefer and why? In case you do not prefer either, do you have any other suggestion. Please provide adequate justification for the same.
2. India’s formulation[[2]](#footnote-2) in its existing FTAs based on Free-on-Board (FOB) price

$$Value addition= \frac{FOB value of export-(CIF value of non originating material+Value of undetermined origin) }{FOB value of export}$$

or

$$Value addition= \frac{Cost of originating material+Direct Labour Cost+Direct Overhead Cost+Profits}{FOB value of export}$$

1. UK’s formulation[[3]](#footnote-3) in its existing FTAs based on both Ex-Works (EXW) price and Free-on-Board (FOB) price

$$MaxNom (\%)= \frac{VNM}{EXW}x 100$$

or

$$RVC (\%)= \frac{FOB-VNM}{FOB}x 100$$

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1. **De Minimis/ Tolerance**
2. Please provide a range of tolerance limit for your product and provide an adequate justification for the same. ( You may also suggest any qualifications for de minimis)

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1. **Cumulation:**
2. In its recent agreements, though UK has bilateral cumulation, however they allow for considering products originating in the European Union, as originating in the Party. Is this acceptable to your sector. If not, please provide an adequate justification for the injury it can pose the particular sector.

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1. **Certificate of Origin:**
2. Are there any additional criteria you would require in the current formulation?

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1. Any existing criteria/field which is not required and should be removed from existing format?

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1. Are there any changes that you would want to suggest in the existing Operational Certification Procedures (OCP) in India’s FTAs? Please provide adequate justification for your suggestion.

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1. **Other**
2. Do you face any problem with respect to infringement of Rules of Origin in the UK market? Please provide details.

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1. Do you face any problem in meeting the Rules of Origin in exporting your products and acquiring the relevant Rules of Origin certification with the given state of digital technology such as e-Platform of DGFT ? Please provide details.

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1. Do you import an input for processing of final product for which you would like to have a PSR for the input as well? Please provide your suggestion along with justification.

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**Designation\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Contact no.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email Id: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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Please send the **soft copies** of your **duly signed and filled-in questionnaire within 15 days** to:

1. Centre for Regional Trade, 7th Floor, NAFED House, Siddhartha Enclave, Ring Road, Ashram Chowk, New Delhi-110014 Email: headcrtoffice@crt.org.in
2. With a copy marked to Mr. Abhishek Dev, Director (TPD &RMTR), Department of Commerce, Ministry. Email: abhishek.dev@ias.nic.in
1. Note: for any action to be undertaken by the GoI based on your input, adequate justification in support of your recommendation is required. Recommendations made without any adequate justification, shall not be considered.

Please use additional sheets where necessary. [↑](#footnote-ref-1)
2. India’s formulation is sourced from India-Mauritius CECPA. [↑](#footnote-ref-2)
3. UK’s formulation is sourced from UK-Japan CEPA.

***MaxNom***: maximum value of non-originating materials expressed as a percentage

***RVC***: minimum regional value content of a product, expressed as a percentage

***VNM***: value of non-originating materials used in the production of the product which is its customs value at the time of importation including freight, insurance where appropriate, packing and all other costs incurred in transporting the materials to the importation port in the Party where the producer of the product is located

***FOB***: the free-on-board price of the product paid or payable to the seller regardless of the mode of shipment, provided that the price includes the value of all the materials used and all other costs incurred in the production of a product and its transportation to the exportation port in the Party, minus any internal taxes which are, or may be, repaid when the product obtained is exported; or

(ii) if there is no price paid or payable or if the actual price paid does not reflect all costs related to the production of the product which are actually incurred in the production of a product, the value of all the materials used and all other costs incurred in the production of the product in the exporting Party, and its transportation to the exportation port in the Party which:

(A) include selling, general and administrative expenses, as well as profit, that can be reasonably allocated to the product, the costs of freight and insurance; and

(B) exclude any internal taxes of the exporting Party which are, or may be, repaid when the product obtained is exported [↑](#footnote-ref-3)