

**Instructions for monitoring and controlling of the implementation of the decision on the relaxation of the Rules of Origin for export to the European Union No. (1) for the year 2019, issued pursuant to Jordanian–EU Association Committee Decisions No. 01/2018, dated 4/12/2018 amended to Decision No. (1/2016) dated 19/7/2016, and No. (2/2016) dated 19/7/2016**

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**Article (1):** These instructions shall be called *monitoring and control instructions* for the implementation of the decision on the relaxation of the rules of origin for export to the EU and shall go into effect as of the date of publication in the Official Gazette.

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**Article (2):** The following words and phrases wherever they appear in these instructions shall have the meaning assigned against each, unless the context indicates otherwise:

**The Ministry:** Ministry of Industry, Trade and Supply.

**Chamber of Industry:** Chambers established under Chambers of Industry Law No. 10 for the year 2005.

**Association Agreement:** Association Agreement between the Hashemite Kingdom of Jordan and the EU.

**The Decision:** Jordanian–EU Association Committee Decision No.01/2018 dated 4/12/2018 amended to Decision No.1/2016 dated 19/7/2016 concerning the amendment of the Association Agreement Rules of Origin Protocol.

**Factory:** Any company or individual firm whose main purpose is industry and works in a particular industrial sector.

**Authorization Number:** The number given by the Jordanian Customs to the factory that complies with the conditions provided for in the Decision.

**Authorities concerned:** One of the following authorities: Ministry of Labour, Jordan Customs, Chambers of Industry, Ministry of Industry Trade and Supply and Ministry of Planning and International Cooperation.

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**Article (3):** The purpose of these instructions is to establish the mechanisms of monitoring and control of the Factories benefiting from Jordanian–EU Association Committee Decision No. 01/2018, dated 4/12/2018 amended to decision No. 1/2016, dated 19/7/2016 on relaxation of the rules of origin for the Jordanian Factories for export to the EU, and for the implementation of Decision No. 02/2016, dated 19/7/2016, concerning mechanisms of applying Decision No. 01/2018, dated 4/12/2018 amended to decision No. 1/2016, dated 19/7/2016.

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**Article (4):** For the purposes of obtaining an Authorization Number by the Factory to take advantage of The Decision and obtaining the necessary approvals from The Authorities concerned after verification of the Factory's compliance with the conditions provided for in The Decision, the following steps shall be taken:

1. Fill out the application form to obtain an Authorization Number to benefit from the decision on relaxation the rules of origin and attach the necessary documents, as per the approved form attached to these instructions, which includes the required information on the factory in terms of products, labour percentage and geographical area, provided that the Ministry and chambers of industry has made available a hardcopy and electronic application form to obtain the authorization number for the purpose of facilitating procedures for the Factories
2. Refer to the authorities concerned to verify and endorse the information.
3. The Jordanian Customs shall verify the customs items of the products and verify the products in terms of their coverage to benefit from the decision and give approval in case of compliance with the conditions by affixing a stamp in the space allocated thereto within a maximum period of three working days as of the date of completion of documents.
4. The Ministry of Labour shall verify the information provided by the factory in terms of the total number of labour and the number of Syrian labour (who hold work permits) and verify the factory's compliance with the percentage of the Syrian labour as required by the decision (on production lines intended for products to be exported to the European Union, to accounted separately) and give approval in case of compliance

with the conditions by affixing a stamp in the space allocated thereto within a maximum period of three working days as of the date of completion of documents.

5. The factory must declare that the products mentioned in its application comply with the rules of origin required to benefit from the decision on the relaxation of the rules of origin for export to the EU and that all information contained in the application is correct and factual. It shall, at the request of any of the authorities concerned, submit any supporting documents that may be requested and accept to show any of the authorities concerned the factory's data to ascertain their validity or any review of the manufacturing processes by the authorities concerned of the products manufactured at the factory, by validating the signature of the person authorized to sign for the factory on the application, stamping it with the seal of the company and the Chamber of Industry's endorsement of his signature. Furthermore, the Factory agrees to collaborate with the International Labour Organization entrusted by Jordan and the EU to perform monitoring and compliance activities related to the application of the simplified rules of origin regime and to show them relevant documentation evidencing compliance with required percentages of Syrian labour as well with domestic labour legislation.
6. The application shall be submitted to the Ministry after its completion.
7. The Ministry shall study the application in terms of its compliance with all the conditions required within a maximum period of three working days as of the date of completion of documents and recommend in writing to the Jordanian Customs to grant customs authorization number to the factory and identify the products that benefit from the decision, and in case the result of the study is non-compliance with the required conditions, the factory shall be notified in writing of non-approval to grant it an authorization number. A copy of the recommendation, whether to grant or not to grant an authorization number, shall be provided to the Ministry of Planning and International Cooperation, Ministry of Labour, Investment Commission, Jordan Customs and Jordan Chamber of Industry.
8. The Jordanian Customs shall issue an authorization number to the factory upon the recommendation of the Ministry, and the Ministry shall be so informed in writing.

9. The Ministry shall inform the Factory in writing of the approval to benefit from the decision, the granted authorization number and the products that benefit from the decision.
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**Article (5):** If the Factory wishes to add other products after obtaining the authorization number, a new application shall be submitted and the previous steps shall be followed for obtaining approval to benefit from the decision for the products requested to be added. After the Ministry studies the application in terms of compliance with all the required conditions, the Jordanian Customs and the factory shall be so informed in writing.

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**Article (6):** The application and the relevant documents shall be kept in a record allocated for this purpose at the Ministry's Industrial Development Directorate.

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**Article 7:** The Ministry shall provide the Authorities concerned with a list of the Factories obtaining authorization numbers on a monthly basis.

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**Article (8):** The Jordanian Customs shall publish and maintain constantly updated the list of Factories having obtained Authorization Numbers, so as to be announced and available.

The Jordanian Customs authorities shall communicate to the European Commission the reference of the webpage on which the updated list of authorization numbers can be found.

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**Article (9):** The authorities concerned shall make the required verification of the factories which obtained authorization numbers to ascertain continued compliance with the conditions on the basis of which authorization numbers were granted, as follows:

1. With regard to the requirement to achieve the percentage of Syrian labour, the Ministry of Labour shall verify the percentage of Syrian labour in the factories which obtained authorization numbers every three months at the maximum and whenever the need arises, and the Ministry shall be provided with the result of verification.

2. With regard to the products' compliance with the required rules of origin:
  - A. Jordan Chamber of Industry, in coordination with the chambers of industry, shall provide the Ministry on a quarterly basis with a schedule that includes the numbers of the Certificates of Origin (the free-form) and products (description of the products and customs item, 8 digits), the quantities, value and the factory to which each certificate of origin was issued in the framework of the decision.
  - B. The Ministry shall verify the factory's compliance with the required rules of origin within the required subsequent verification of origin mechanism adopted by it, by taking random samples on a regular basis, in order to take the necessary procedures.
3. Based on the updated list of the factories obtaining authorization numbers, which are provided to the authorities concerned, these authorities shall inform the Ministry in writing in case of change of any of the conditions complied with by the factory, on the basis of which the authorization number was granted.
4. In the event of breach by the Factory of any of the conditions provided for and on the basis of which the Authorization Number was granted, the Ministry shall start without delay the necessary procedures by recommending in writing to withdraw the customs authorization number and suspend benefitting from the decision. The Customs shall issue a letter to the Ministry to withdraw the authorization number. The Ministry shall remove the Factory from which the authorization number was withdrawn from the updated list of factories which obtained authorization numbers and inform the Factory and all Authorities concerned accordingly.
5. In case the Factory from which the Authorization Number was withdrawn rectifies its conditions within three months at maximum and complies with the conditions, the Authorization Number given to him previously will be reactivated. The Ministry will inform the Factory and all Authorities concerned. If the duration exceeds three months, a new application shall be submitted and the previous steps shall be repeated in order to obtain a new authorization number.

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**Article (10):** To issue a certificate of origin for products of the factories which obtained authorization numbers and which comply with the conditions required to benefit from the decision, the following shall be taken:

1. The factory shall issue a certificate of origin (the free-form) from the Chamber of Industry concerned.
2. The Chamber of Industry after verifying the factory's authorization number shall issue a certificate of origin (the free-form) in which the block for remarks includes the following phrase:

"Valid for the issuance of a movement certificate (EUR.1 / EUR.MED) to from Jordanian-EU Association Committee Decision No. 01/2018, dated 4/12/2018"

3. The Ministry shall verify the certificate of origin (the free-form) and ascertain the factory's name, the authorization number, and no suspension of benefiting from the decision of relaxation the rules of origin for the purpose of endorsement.
4. The factory shall obtain a movement certificate form (EUR.1 / EUR.MED) from the Jordanian Customs, fill it out in accordance with the established procedures, provided that a movement certificate include the following phrase as well as indicating the name of the industrial zone/ development area and authorization number in English:

Derogation-Annex II (a) of protocol 3  
  
Mention the name of the industrial zone/ development area  
  
Mention the authorization number

5. The Jordanian Customs shall endorse the movement certificate in accordance with the established procedures, after verification of all the data contained therein to ascertain the authorization number and compliance of the products in terms of being covered by

the decision and the inclusion of the phrase contained in item four of this article clearly and accurately.

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**Article (11):** When a request is submitted by the European Commission or the customs authorities of any of the EU Member States to the Jordanian Customs to verify the validity of a movement certificate for products exported in the framework of this decision and/ or to request verification of the compliance of these products with the rules of origin under the decision, the following shall be taken:

1. The Jordanian Customs shall ascertain the validity of the certificate required to be verified and notify the Ministry of the verification request.
2. The Ministry shall take the necessary procedures to verify compliance of the products requested to be verified with the rules of origin under the decision by carrying out a field visit to the factory and see the production processes and audit the factory's accounts and documents.
3. In case of the non-compliance of the products requested to be verified with the rules of origin under the decision, the authorization number shall be withdrawn and benefiting from the decision shall be suspended.
4. The Ministry shall inform the Jordanian Customs of the verification results to inform the European side accordingly, in accordance with the subsequent verification procedure of the Association Agreement.

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**Article (12):** In case the European Commission or the customs authorities of any of the EU Member States involved in the process of verification of compliance of products exported to the European Union with the rules of origin required under the decision requests to carry out a field visit to the factory in question, coordination between the Ministry and Jordanian Customs shall be made to facilitate this matter.

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**Article (13):** The Ministry of Labour shall facilitate the task of the International Labour Organization regarding the monitoring procedures on the required Syrian labour percentages and any other matters related to the Syrian labour under this decision.

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**Article (14):** The Ministry, in collaboration with the Ministry of Planning and International Cooperation and in coordination with all the concerned authorities, shall prepare an annual report that includes statistics on production quantities, volume of exports, factories benefiting from the decision and size and percentage of employed Syrian labour. The report shall be provided to the European Commission, as stipulated by the decision.

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**Article (15):** These Instructions shall cancel Instructions No. (2) for the year 2016 for monitoring and controlling of the implementation of the decision on the relaxation of the Rules of Origin for export to the European Union.

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Minister of Industry, Trade and Supply