Article 3.19
Verification Visit

1. If the customs authority of the importing Party is not satisfied with the outcome of the request for checking in accordance with Article 3.18, it may request the exporting Party to:

(a) collect and provide information related to the origin of a good, and check, for that purpose, the facilities used in the production of the good, through a visit by the competent governmental authority of the exporting Party along with the customs authority of the importing Party to the premises of the exporter to whom the Certificate of Origin has been issued, or the producer of the good in the exporting Party referred to in subparagraph 8(b) of Article 3.16; and

(b) provide information related to the origin of the good in the possession of the competent governmental authority of the exporting Party or its designee, during or after the visit referred to in subparagraph (a).

2. When requesting the exporting Party to conduct a visit in accordance with paragraph 1, the customs authority of the importing Party shall deliver a written communication with such request to 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 exporting Party. The competent governmental 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.

3. The communication referred to in paragraph 2 shall include:

(a) the identity of the customs authority issuing the communication;

(b) the name of the exporter, or the producer of the good in the exporting Party, whose premises are requested to be visited;

(c) the proposed date and place of the visit;

(d) the objective and scope of the proposed visit, including specific reference to the good subject of the verification referred to in the Certificate of Origin; and

(e) the names and titles of the officials of the customs authority of the importing Party to be present during the visit.

4. The exporting Party shall respond in writing to the importing Party, within 30 days after the receipt of the communication referred to in paragraph 2, whether it accepts or refuses to conduct the visit requested in accordance with paragraph 1.

5. The competent governmental authority of the exporting Party shall, in accordance with the laws and regulations of the exporting Party, provide within 45 days or any other mutually agreed period after the last day of the visit, to the customs authority of the importing Party the information obtained in accordance with paragraph 1.

Article 3.20
Determination of Origin and Preferential Tariff Treatment

1. 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 this Chapter.

2. 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 where it receives the notification from the competent governmental authority of the exporting Party to cancel the decision to issue the Certificate of Origin for the good in accordance with paragraph 12 of Article 3.16.