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La Habana, Cuba
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THE LOME CONVENTION
COMMON EXTERNAL TRADE REGIME

(Annex II to the National Trade Operations and
Procedure Guides)



UNITED NATIONS

ECONOMIC COMMISSION FOR LATIN AMERICA Office for the Caribbean

ANNEX II

THE LOMÉ CONVENTION COMMON EXTERNAL TRADE RÉGIME

The Second Lomé Convention, which was signed on 31 October 1979, will expire on 28 February 1985. This Convention, which replaced Lomé I, links sixty three independent countries in Africa, the Caribbean and the Pacific (the so-called ACP States) and the European Economic Community (EEC). Formal negotiations for a successive agreement between the parties were initiated during the last quarter of 1983.

Caribbean members of the ACP are Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St.Cristopher-Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago.

Current membership of the EEC includes Belgium, Denmark, the Federal Republic of Germany, France, Greece, Ireland, Italy, Luxembourg, the Netherlands, and the United Kingdom.

Similar arrangements in favour of non-independent territories with association with the EEC Members States are provided in an EEC Regulation. These States are described as overseas countries and territories (OCTs). The Caribbean OCTs are the Netherlands Antilles -Aruba, Bonaire, Curaçao, St.Martin, Saba, St.Eustasius - and the British territories of Anguilla, the Cayman Islands, Montserrat, Turks and Caicos and the British Virgin Islands.

TRADE CO-OPERATION

The Convention provides that items produced in the ACP States in compliance with the origin rules (set out in Protocol No.1 to the Convention) may be imported into the EEC free of customs duties and similar charges and without the application of quantitative restrictions. Products excluded from this free access include items under a "common organization of the market" and those subject to rules under the common agricultural

policy (CAP).

The origin rules in Protocol No.1 to the Convention incorporate the direct consignment rule and provide two broad limbs under which goods may qualify for preferential treatment - "wholly produced" goods and goods in which materials other than of ACP or EEC or OCT origin used are subject to substantial transformation. This substantial transformation is characterized by the change of tariff heading rule, associated with List A in which the conditions in addition to the change of tariff heading rule are prescribed and List B in which qualifying conditions are set where the change of tariff heading does not take place.

The origin rules allow that inputs from EEC, other ACP States or the OCTs or work done in these countries could count as being done in the exporting ACP state. The exporters in these States may be asked to supply the manufacturer of the final product with an "Information Certificate" attesting to work done or materials supplied.

Where goods are being exported under the terms of the Convention, the exporter must complete an application for a movement certificate; the former is retained by the Customs authorities in the exporting State who sign the certificate on the Movement Certificate (EUR.1) which must be prepared on special paper. Form EUR2 is used for postal shipments.

The origin rules include procedures for derogation therefrom under certain circumstances and include a time frame for decisions on the applications.

Special arrangements relating to beef, rum and bananas are included in Protocols to the Convention. Under Protocol No.5, import quotas are established on rum with prescribed annual growth rates of 40% on the United Kingdom market and 18% on the markets of the other EEC States. Protocol No.4

on bananas needs to safeguard for ACP States access to their traditional markets.

ACP States may not discriminate in their customs legislation between EEC Member States and shall grant them treatment no less favourable than most favoured nation treatment. However, ACP States are still free to grant special treatment in respect of trade and economic relations between ACP States or between ACP States and other developing countries.

ACP States are not required to give preferential origin treatment to imports from EEC countries.

The EEC may apply prohibitions and restrictions on imports from ACP States on grounds of public morality, public policy or public security, protection of health and life of humans, animals or plants; the protection of national treasure possessing artistic, historical or archaeological value or the protection of industrial and commercial property. These prohibitions and restrictions may not be used as a means of arbitrary discrimination or disguised restrictions of trade.

Certain mineral oils and related products, hydrocarbons, lubricating preparations and additives for lubricants are excluded from the free access arrangements. In these cases, each EEC Member State applies national origin rules.

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The second ACP-EEC Convention signed in Lomé on 31 October 1979

DOCUMENT FORMATS AGREED

ANNEX V

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)		EUR. 1 N° A 000.000	
		See notes overleaf before completing this form	
3. Consignee (Name, full address, country) (Optional)		2. Certificate used in preferential trade between and <small>(insert appropriate countries, groups of countries or territories)</small>	
		4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination
		7. Remarks	
6. Transport details (Optional)			
8. Item number; Marks and numbers; Number and kind of packages⁽¹⁾; Description of goods		9. Gross weight (kg) or other measure (litres, m³, etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽²⁾ Form No Customs office Issuing country or territory Date <div style="text-align: right; font-size: small;">Stamp</div> <div style="text-align: center; font-size: x-small;">(Signature)</div>		12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date: <div style="text-align: right; font-size: x-small;">(Signature)</div>	

⁽¹⁾ If goods are not packed, indicate number of articles of state 'in bulk' as appropriate.

⁽²⁾ Complete only where the regulations of the exporting country or territory require.

<p>13. REQUEST FOR VERIFICATION, to</p>	<p>14. RESULT OF VERIFICATION,</p>
<p>Verification of the authenticity and accuracy of this certificate is requested</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p>	<p>Verification carried out shows that this certificate⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p> <p>.....</p> <p>(¹) Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)		EUR. 1 N° A 000.000	
		See notes overleaf before completing this form	
3. Consignee (Name, full address, country) (Optional)	2. Application for a certificate to be used in preferential trade between		
 and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)		7. Remarks	
8. Item number; Marks and numbers; Numbers and kind of packages ⁽¹⁾ ; Description of goods		9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follow the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents⁽¹⁾:

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX VI

(RECTO)
Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 N°		1 Form used in preferential trade between ⁽¹⁾ and	
2 Exporter (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
4 Consignee (Name, full address, country)		5 Place and date	
7 Remarks ⁽²⁾		6 Signature of exporter	
11 Marks; Numbers of consignment; Description of goods		8 Country of origin ⁽²⁾	9 Country of destination ^(*)
		10 Gross weight (kg)	
		12 Authority in the exporting country ^(*) responsible for verification of the declaration by the exporter	

⁽¹⁾ Insert the countries, groups of countries or territories concerned.

⁽²⁾ Refer to any verification already carried out by the appropriate authorities.

^(*) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.

^(*) The term 'country' means country, group of countries or territory.

(VERSO)

13 Request for verification The verification of the declaration by the exporter on the front of this form is requested(*)	14 Result of verification Verification carried out shows that ⁽¹⁾ <input type="checkbox"/> the statements and particulars given in this form are accurate. <input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)
..... 19..... (Place and date) Stamp (Signature) 19..... (Place and date) Stamp (Signature) (1) Insert X in the appropriate box.

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference "EUR. 2" and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/C.P1, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX VIII

EUROPEAN COMMUNITIES

1. Supplier ⁽¹⁾		INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> EUROPEAN ECONOMIC COMMUNITY and THE ACP STATES </div>	
2. Consignee ⁽¹⁾		4. State in which the working or processing has been carried out	
3. Processor ⁽¹⁾			
6. Customs office of importation ⁽²⁾		5. For official use	
7. Import document ⁽²⁾ Form No Series Date 			
GOODS SENT TO THE MEMBER STATE OF DESTINATION			
8. Marks, numbers, quantity and kind of package	9. Tariff heading number and description of goods	10. Quantity ⁽¹⁾	
		11. Value ⁽¹⁾	
IMPORTED GOODS USED			
12. Tariff heading number and description	13. Country of origin	14. Quantity ⁽¹⁾	15. Value ⁽¹⁾ (⁽¹⁾)
16. Nature of the working or processing carried out			
17. Remarks			
18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <div style="border: 1px solid black; width: 80px; height: 60px; margin: 10px auto; text-align: center; line-height: 60px;"> Official stamp </div> <div style="border-top: 1px solid black; width: 100%; margin-top: 10px;"> (Signature) </div>		19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate <div style="border-top: 1px solid black; width: 100%; margin-top: 10px;"> (Place) </div> <div style="border-top: 1px solid black; width: 100%; margin-top: 10px;"> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 15px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 15px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 15px;"></div> </div> <div style="text-align: center; margin-top: 5px;">(date)</div> <div style="border-top: 1px solid black; width: 100%; margin-top: 10px;"> (Signature) </div>	

⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ See footnote on verso.

REQUEST FOR VERIFICATION

The undersigned customs official requests verification of the authenticity and accuracy of this information certificate



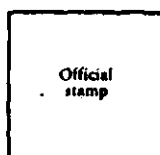
.....
(Place and date)

.....
(Official's signature)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs official shows that this information certificate:

- (a) was issued by the customs office indicated and that the information contained therein is accurate(*)
- (b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)



.....
(Place and date)

.....
(Official's signature)

.....
(*) Delete where not applicable

CROSS REFERENCES

(1) Name of individual or business and full address.

(2) Optional information.

(3) Kg, hl, m³ or other measure.

(4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.

(5) The value must be indicated in accordance with the provisions on rules of origin.