

DECISION OF THE JOINT EFTA-MOROCCO COMMITTEE

No. 1 of 2010

(Adopted on 5 October 2010)

AMENDMENTS TO PROTOCOL B
CONCERNING THE DEFINITION OF THE CONCEPT OF “ORIGINATING
PRODUCTS” AND METHODS OF ADMINISTRATIVE COOPERATION

THE JOINT COMMITTEE,

Having regard to Article 15 of Protocol B of the EFTA-Morocco Free Trade Agreement providing for exemptions, over a transitional period, from the prohibition of drawback of, or exemption from, custom duties on any non-originating materials used in the manufacture of originating products;

Noting that the transitional period expired on 31 December 2009 and that paragraph 7 of Article 15 provides for the possibility of extending its application by common accord;

Considering that Morocco requested a prolongation of the transitional period and a review of the applicable rates;

Aiming at ensuring legal certainty and predictability for economic operators;

Having regard to Article 34 of the Agreement, empowering the Joint Committee to amend the Annexes and Protocols to the Agreement,

DECIDES:

1. Paragraph 7 of Article 15 of Protocol B shall be replaced with the following text:

“7. Notwithstanding paragraph 1, Morocco may, except for products falling within Chapters 1 to 24 of the Harmonized System, apply arrangements for drawback of, or exemption from, custom duties or charges having an equivalent effect, applicable to non-originating materials used in the manufacture of originating products, subject to the following provisions:

- (a) a 4 % rate of customs charge shall be retained in respect of products falling within Chapters 25 to 49 and 64 to 97 of the Harmonized System, or such lower rate as is in force in Morocco;

- (b) an 8 % rate of customs charge shall be retained in respect of products falling within Chapters 50 to 63 of the Harmonized System, or such lower rate as is in force in Morocco;

This paragraph shall apply until 31 December 2012 and may be reviewed by common accord.”

2. This Decision shall enter into force on the first day of the second month after the last Party has notified the Depositary that its internal requirements have been fulfilled and shall be applicable with retroactive effect as of 1 January 2010.
 3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.
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