

1. Background

This document is aimed to help Exporters and Freight Forwarders understand the process for authorizing Certificates of Origin electronically. Equally there are many misconceptions about the role of Chambers around this important International Trade service

2. Current Process

The current manual process for creating Certificates of Origin means the documents are created usually using word processing, printed and physically delivered to the local Chamber of Commerce with their usual business hours. Often there is a wait for the Chamber to certify the Certificate of Origin and other supporting documents by physically stamping, or embossing, by applying their seal. They are then returned to the Exporter directly or via a courier.

3. Electronic Certificates of Origin

Simply put, electronic Certificates of Origin are created on line via the internet by the Exporter or a Freight Forwarder and the Chamber applies stamps and signatures electronically and returns to the Exporter by email. The benefits are less time spent on a very repetitive process and at a reduced cost compared to manual processing.

4. International Chamber of Commerce

The International Chamber of Commerce (ICC) is a world business organization and has unrivalled authority in making rules that govern the conduct of business across borders in relation to international trade. In order for both parties to process electronically there are a number of rules and steps to be followed to ensure best practice and avoid rejection. The responses to most questions are from the International Certificate of Origin Guidelines which is readily available for reference.

5. essCert

Exporters and Freight Forwarders, once registered with their Chamber of Commerce, can submit Certificates of Origin electronically. essCert is the market leading solution and today is operating in twelve countries around the world. essCert has fully implemented the electronic version of the International Certificate of Origin Guidelines.

6. Submission Method

essCert allows the applicant to complete an onscreen version of the Certificate of Origin. The applicant sends the application electronically to the Chamber for review. Once reviewed and approved by the Chamber the applicant prints the fully stamped and signed Certificate of Origin at their desk.

7. FAQs*

What is a Certificate of Origin?

A Certificate of Origin (CO) is a document which states the origin of goods being exported. Virtually every country in the world considers the origin of imported goods when determining what duty will be assessed on the goods or, in some cases, whether the goods may be legally imported at all.

Who needs it?

Exporters. Certificates of Origin may be needed to comply with Letters of Credit, import Customs requirements or a buyers request.

Why is the Chambers' role so important?

Since Certificates of Origin are required by Customs as one of the key bases for applying tariff rates, a Chambers role is both unique and vital in facilitating international trade for the business community.

How does the Chamber know the information being provided by the exporter is accurate?

It can't. Chambers certify only that which they are able to verify. Certification guarantees the accuracy or truth of information contained in the document and is expressed by using the word "certified". Certification may be given for the whole document or may be limited to the position and identity of the Signatory. If the Chamber is presented with a declaration attesting to commercial details, the accuracy of which it cannot check it must confine itself to stamping the document attesting to the position and identity of the signatory.

Can Exporters or Agents "self-stamp" Certificates by acquiring and applying the Chamber seal?

NO! Chambers that provide their seal direct to exporters or their agents are exposing themselves to liability by providing their seal without examining the documents and going through the check list. In some cases where Chambers have given their seal there have been cases involving the fraudulent issues of certificates or the forging of certifications.

Can a Freight Forwarder stamp and sign?

NO! The criteria for having Chambers of Commerce certify Certificates of Origin is they have direct members who are exporters and should retain profile details of the exporters in their database. An issuing body should not be an organisation that provides services to exporters such as freight forwarders, which could compromise their integrity and impartiality in the authentication of Certificates of Origin.

Can a Chamber sign Declarations of Origin or invoices before the Exporter?

NO! Where it is necessary for a declaration of origin or any other declaration to be on the export invoice, applicants must present the invoice bearing the requisite exporter's declaration and any requirements of the particular country to which the goods are being consigned or as required to meet reasonable commercial needs. The declaration on the original and on each copy invoice must be signed.

What are the benefits to my business if I switch to electronic?

Completing your Certificate of Origin online through your local Chamber of Commerce helps eliminate the likelihood of errors and reduces costs. Also, key information is stored, allowing for repeat Certificates to be created without the need for ongoing repetitive form filling. See <https://www.essdocs.com/solutions/cargodocs/esscert>

Who is authorised to sign on behalf of the Exporter?

Only the principals or their duly authorized signatories or agent. Principals include in the case of a sole trader, by the proprietor himself; in the case of a partnership, by a partner of the firm; in the case of a corporate body, by a Director or the Secretary. Alternatively, declaration may be signed by an authorised agent of the principal.

Who determines whether a Certificate of Origin is required?

The responsibility to comply with the requirements of the importing company rests with the Exporter – not the Chamber. It is also the exporters responsibility to obtain the Certificate of Origin, in accordance with the buyers or country of import requirement.

Is there a need to have two Certificates of Origin that specify different criteria – e.g., one for US-originated products and one for non-US?

NO! The Certificate of Origin can be one document for both which means the declaration are generic for both the Chamber and the Exporter and where products are grouped by Origin on the Certificate.

What is a "Letter of Waiver" in relation to Certificates of Origin?

The Letter of Waiver is in fact the Formal Undertaking which removes the need for a notary or lawyer. The waiver means the exporter takes responsibility and holds the Chamber harmless without getting tangled up in legalism. It has nothing to do with opening the door for pre-approving certificates or providing a chamber stamp to an exporter or freight forwarder to self stamp.

Does a Certificate need to be notarised?

NO! Notarisation is old hat and was replaced by Formal Undertakings, which means the exporters authorised officer makes a declaration to the Chamber, indemnifies, provides a list of the signatories and agrees to keep the Chamber updated of any changes.

What is a NAFTA Certificate?

The NAFTA Certificate of Origin only applies for goods exported between the USA, Canada and Mexico. Exporters can authorise NAFTA certificates without needing a stamp from the Chamber.

What is a Certificate of Free Sale?

The Certificate of Free Sale can be stamped by a Chamber and in general terms allows an exporter to declare to the import country providing a government issued Certificate is not required, that the goods are sold in the USA.

What is the UN layout key for international trade documents?

Refer Appendix – The UN layout ensures the Certificate of Origin is consistent internationally with all export documents and easy to read and check when presented to Chambers; Customs; Banks; and any party in the Global Trade community.

* Answers from the International Certificate of Origin Guidelines published by the World Chambers Federation and the International Chamber of Commerce. "International Certificate of Origin Guidelines" booklet available at <http://store.iccbooksusa.net/iccebooks.aspx>

