

## CHAPTER FOUR ORIGIN PROCEDURES

### ARTICLE 4.1: CERTIFICATE OF ORIGIN

1. Each Party shall grant preferential tariff treatment in accordance with this Agreement to an originating good imported from the territory of the other Party on the basis of a Certificate of Origin.
2. In order to obtain preferential tariff treatment, an importer shall, in accordance with the procedures applicable in the importing Party, request preferential tariff treatment at the time of importation of an originating good.
3. A Certificate of Origin which certifies that a good being exported from the territory of a Party into the territory of the other Party qualifies as originating shall:
  - (a) be in a printed or electronic format; and
  - (b) be completed in English in conformity with the specimen and the instructions contained therein as set out in Annex 4B, which may be amended by agreement between the Parties.
4. Each Party shall:
  - (a) require an exporter in its territory to complete and sign a Certificate of Origin for any exportation of a good for which an importer may claim preferential tariff treatment upon importation of the good into the territory of the other Party; and
  - (b) provide that where an exporter in its territory is not the producer of the good, the exporter may complete and sign a Certificate of Origin on the basis of:
    - (i) its knowledge that the good qualifies as originating;
    - (ii) its reasonable reliance on the producer's written representation that the good qualifies as originating; or
    - (iii) a completed and signed Certificate of Origin for the good voluntarily provided to the exporter by the producer.
5. A Certificate of Origin, duly completed and signed by an exporter or producer in a Party, may apply to:
  - (a) a single shipment of one or more goods into the territory of the other Party; or

- (b) multiple shipments of identical goods to the same importer within any period specified in the Certificate of Origin, not exceeding 12 months from its date of issuance.

#### ARTICLE 4.2: WAIVER OF CERTIFICATE OF ORIGIN

A Certificate of Origin shall not be required where:

- (a) the customs value of the importation does not exceed 1,000 US dollars or the equivalent amount in the currency of the importing Party, or such higher amount as may be established by the importing Party, unless the importing Party considers the importation to be carried out or planned for purposes of evading compliance with the Party's laws governing claims for preferential tariff treatment under this Agreement; or
- (b) it is a good for which the importing Party does not require the importer to present a Certificate of Origin demonstrating origin.

#### ARTICLE 4.3: VALIDITY OF CERTIFICATE OF ORIGIN

1. A Certificate of Origin shall be valid for one year from its date of issuance in the exporting Party and be submitted within the same period to the customs authority of the importing Party in accordance with applicable procedures of the importing Party.

2. Notwithstanding paragraph 1:

- (a) in the event that the good referred to in the Certificate of Origin is temporarily admitted or stored under control of the customs authority of a non-Party, the term of validity of the Certificate of Origin may be extended for one additional year; and
- (b) in the event that the good referred to in the Certificate of Origin is temporarily admitted or stored under control of the customs authority of the importing Party, the term of validity of the Certificate of Origin shall be suspended for the amount of time the customs authority has authorized such operations.

#### ARTICLE 4.4: CLAIMS FOR PREFERENTIAL TARIFF TREATMENT

1. Except as otherwise provided for in this Chapter, each Party shall require an importer in its territory that claims preferential tariff treatment to:

- (a) make a written statement in the customs declaration, based on a valid Certificate of Origin, indicating that the good qualifies as originating;

- (b) have in its possession the Certificate of Origin at the time the statement referred to in subparagraph (a) is made;
  - (c) have in its possession the documents which certify that the requirements established in Article 3.14 (Direct Transport) have been met, where applicable; and
  - (d) submit the valid Certificate of Origin, as well as the documents referred to in subparagraph (c) to the customs authority, where it is required.
2. Where an importer has a reason to believe that a Certificate of Origin on which a statement was based contains incorrect information, the importer shall make a corrected statement and pay any customs duty owed.
3. Where an importer does not comply with any requirements under this Chapter or Chapter Three (Rules of Origin), preferential tariff treatment shall be denied to the goods imported from the territory of the exporting Party.

#### ARTICLE 4.5: POST-IMPORTATION CLAIMS FOR PREFERENTIAL TARIFF TREATMENT

Where a good was originating when it was imported into the territory of the importing Party, but the importer of the good did not claim preferential tariff treatment at the time of importation, that importer may, within the period specified in the Party's legislation or within one year following the date of importation, claim preferential tariff treatment and apply for a refund of any excess duties paid as a result of the good not having been accorded preferential tariff treatment, upon presentation to the importing Party of:

- (a) a written or electronic declaration or statement, in accordance with the legislation of the importing Party, that the good was originating at the time of importation;
- (b) a copy of a Certificate of Origin demonstrating that the good was originating; and
- (c) such other documents related to the importation of the good as the importing Party may require.

#### ARTICLE 4.6: RECORD KEEPING REQUIREMENTS

1. The records that may be used to prove that a good covered by a Certificate of Origin is originating and has fulfilled other requirements under this Chapter and Chapter Three (Rules of Origin) include, but are not limited to:
- (a) documents related to the purchase of, cost of, value of, and payment for, the exported good;
  - (b) documents related to the purchase of, cost of, value of, and payment for,

all materials, including indirect materials, used in the production of the exported good;

- (c) documents related to the production of the good in the form in which it was exported; and
- (d) such other documents as the Parties may agree.

2. An exporter or producer in the territory of the exporting Party that completes and signs a Certificate of Origin shall keep, at least for five years from the date of issuance of the Certificate of Origin, the records referred to in paragraph 1.

3. An importer claiming preferential tariff treatment for a good imported into the territory of a Party shall keep, at least for five years from the date of importation of the good, the records related to the importation, including a copy of the Certificate of Origin.

4. An importer, exporter, or producer may choose to keep the records referred to in paragraph 1 in any medium that allows for prompt retrieval, including, but not limited to, digital, electronic, optical, magnetic, or written form.

#### ARTICLE 4.7: FORMAL ERRORS

1. Upon discovering formal errors in a Certificate of Origin, namely those that do not affect the originating status of the goods, the customs authority of the importing Party shall notify the importer of the errors that make the Certificate of Origin unacceptable.

2. The importer shall submit the appropriate correction of the Certificate of Origin within 30 days following the date of the receipt of the notification.

3. The correction shall contain the amendment, the date of the amendment, and, where applicable, the number of the Certificate of Origin and shall be signed by the person who issued the original Certificate of Origin.

4. If the importer fails to submit the correction within the period referred to in paragraph 2, the competent authority of the importing Party may proceed to conduct a verification under Article 4.8.

#### ARTICLE 4.8: VERIFICATION

1. For purposes of determining whether a good imported into the territory of a Party from the territory of the other Party qualifies as originating, the competent authority of the importing Party may conduct a verification by means of:

- (a) written requests for additional information from the importer;
- (b) written requests for additional information from the exporter or producer through the competent authority of the exporting Party;

- (c) requests that the competent authority of the exporting Party assists in verifying the origin of the good; or
- (d) verification visits to the premises of an exporter or producer in the territory of the other Party, along with officials of the competent authority of the exporting Party, to observe the facilities and the production processes of the good and to review the records referred to in Article 4.6.1, including accounting files.

2. Requests made under paragraph 1(b) or 1(c) by the competent authority of the importing Party and all the information provided in response by the competent authority of the exporting Party shall be in English.

3. Where the importer, exporter, or producer fails to answer the written request for additional information that the importing Party made under paragraph 1(a) or 1(b) within 90 days following the date of the receipt of the request, the importing Party may deny preferential tariff treatment to the relevant good.

4. Where the competent authority of the importing Party requests assistance under paragraph 1(c):

- (a) it shall provide the competent authority of the exporting Party with:
  - (i) the reasons why such assistance for verification is requested;
  - (ii) the Certificate of Origin of the good or a copy thereof; and
  - (iii) any information and documents as may be necessary for purposes of such request;
- (b) the competent authority of the exporting Party shall provide the competent authority of the importing Party with a written statement in English, including facts and findings, and any supporting documents made available by the exporter or producer. This statement shall indicate clearly whether the documents are authentic and whether the good concerned is originating and has fulfilled other requirements under this Chapter and Chapter Three (Rules of Origin). If the good can be considered to be originating, the statement shall include a detailed explanation of how the good obtained the originating status; and
- (c) in case where the competent authority of the exporting Party fails to provide the written statement within 150 days following the date of the receipt of the request or where the written statement provided does not contain sufficient information, the importing Party may deny preferential tariff treatment to the relevant good.

5. Where the competent authority of the importing Party intends to conduct a verification under paragraph 1(d), it shall notify in writing, 30 days prior to the verification visit, the

competent authority of the exporting Party of such a request. In case where the competent authority of the exporting Party does not give its written consent to such a request within 30 days following the date of the receipt of the notification, the importing Party may deny preferential tariff treatment to the relevant good.

6. The importing Party shall, within one year following the initiation of the verification, notify the importer and the exporting Party, including the exporter or producer through the competent authority of the exporting Party, in writing, of the determination whether the good is originating, as well as factual findings and the legal basis for the determination.

7. Where, at the time of importation, the customs authority of the importing Party has a reasonable doubt on the origin of a good, the good may be released upon a deposit or the payment of duties, pending the outcome of the verification. The deposit or duties paid shall be refunded once the outcome of the verification confirms that the good qualifies as originating.

8. A Party may suspend preferential tariff treatment to an importer on any subsequent import of a good when the competent authority of the Party had already determined that an identical good was not eligible for such treatment, until it is demonstrated that the good complies with the requirements under this Chapter and Chapter Three (Rules of Origin).

9. A Party may provide all the information requested under this Article, supporting documents, and all other related information electronically to the other Party.

#### ARTICLE 4.9: PENALTIES

Penalties shall be imposed on any person who does not comply with this Chapter or Chapter Three (Rules of Origin).

#### ARTICLE 4.10: CONFIDENTIALITY

1. A Party shall maintain the confidentiality of the information provided by the other Party in accordance with this Chapter, when requested by the other Party, and protect it from disclosure that could prejudice the competitive position of the person providing the information. Any violation of the confidentiality shall be treated in accordance with the domestic legislation of each Party.

2. The information provided in accordance with this Chapter shall not be disclosed without specific permission of the person or authority providing such information, except to the extent that it may be required to be disclosed in the context of judicial proceedings.

#### ARTICLE 4.11: DENIAL OF PREFERENTIAL TARIFF TREATMENT

Except as otherwise provided in this Chapter, the importing Party may deny a claim for preferential tariff treatment or recover unpaid duties, where the good does not meet the requirements under this Chapter or Chapter Three (Rules of Origin).

#### ARTICLE 4.12: MODIFICATIONS

1. If a Party considers that this Chapter or Chapter Three (Rules of Origin) needs to be modified, that Party may submit a modification proposal to the other Party, along with supporting rationale and studies.
2. A Party shall respond to the proposal made by the other Party within 180 days following the submission of the proposal.
3. In case where the Parties do not reach an agreement, either Party may refer the matter to the Committee on Customs, Origin, and Trade Facilitation established under Article 5.25 (Committee on Customs, Origin, and Trade Facilitation) for consideration.

#### ARTICLE 4.13: IMPLEMENTATION

1. During the period of five years following the date of entry into force of this Agreement, Annex 4A shall apply in lieu of Articles 4.1 and 4.6.<sup>1</sup>
2. After the period referred to in paragraph 1, Article 4.1 and 4.6 shall apply in lieu of Annex 4A.
3. During the period referred to in paragraph 1, the term **Certificate of Origin** used in Articles 4.2, 4.3, 4.4, 4.5, 4.7, 4.8, and 4.13 and Chapter Three (Rules of Origin) shall have the meaning of **Proof of Origin** referred to in Rule 1 of Annex 4A.
4. For purposes of accepting Certificates of Origin in an electronic format, the Parties shall, after one year following the date of entry into force of this Agreement, initiate the discussion on developing an electronic certification system to ensure the effective and efficient implementation of this Chapter, in a manner to be jointly determined by the competent authorities of the Parties.

#### ARTICLE 4.14: UNIFORM REGULATIONS

1. The Parties may establish and implement, through their respective laws, regulations, or administrative policies, Uniform Regulations regarding the interpretation, application, and administration of this Chapter and Chapter Three (Rules of Origin).
2. Each Party shall implement any modification of, or addition to, the Uniform Regulations within such period as the Parties may agree.

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<sup>1</sup> Proofs of Origin issued in accordance with Annex 4A, until the last day of the calendar year in which Articles 4.1 and 4.6 start to apply, shall be accepted by the Parties. Persons and authorized bodies referred to in Rule 6 of Annex 4A shall keep the documents referred therein even if Annex 4A ceases to apply.

ARTICLE 4.15: DEFINITIONS

For purposes of this Chapter:

**competent authority** means:

- (a) for Korea, the *Korea Customs Service*, or its successor; and
- (b) for Peru, the *Ministry of Foreign Trade and Tourism*, or its successor; and

**identical goods** means goods that are the same in all respects relevant to the particular rule of origin that qualify the goods as originating.

**ANNEX 4A**  
**PROOFS OF ORIGIN**

*Rule 1: Proofs of Origin*

Goods originating in a Party shall, upon importation into the other Party, benefit from the preferential tariff treatment under this Agreement upon submission of one of the following proofs of origin:

- (a) a Certificate of Origin, a form of which appears in Appendix 4A-1; or
- (b) in the cases specified in paragraph 1 of Rule 4, a declaration (hereinafter referred to as the “origin declaration”), the text of which appears in Appendix 4A-2, given by the exporter on an invoice, a delivery note, or any other commercial document which describes the goods concerned in sufficient detail to enable them to be identified.

*Rule 2: Certificate of Origin*

1. A Certificate of Origin shall be issued by the competent authority or authorized bodies<sup>2</sup> of the exporting Party on application by the exporter or, under the exporter’s responsibility, by his authorized representative.

2. The Certificate of Origin shall be completed in English and may cover one or more goods under one consignment.

3. The exporter applying for the issuance of a Certificate of Origin shall be prepared to submit at any time, upon request of the competent authority or authorized bodies of the exporting Party issuing the Certificate of Origin, all appropriate documents proving the originating status of the goods concerned as well as the fulfillment of other requirements under this Chapter and Chapter Three (Rules of Origin).

4. For purposes of issuing a Certificate of Origin, by taking any appropriate measures prior to the exportation, the competent authority or authorized bodies of the exporting Party shall examine the originating status of the good and the fulfillment of other requirements under this Chapter and Chapter Three (Rules of Origin). To this end, they shall have the right to request any supportive evidence and to carry out any inspection of the exporter’s accounts or any other check considered appropriate. The competent authority or authorized bodies of the exporting Party shall also ensure that the form referred to in subparagraph (a) of Rule 1 is duly completed.

*Rule 3: Authorized Bodies*

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<sup>2</sup> For purposes of this Annex, **authorized body** means any body authorized under the domestic legislation of a Party to issue a Certificate of Origin.

1. Each Party shall maintain an updated register of the names and seals of its authorized bodies.
2. Each Party shall notify the other Party the names and seals of its authorized bodies.
3. Any change to the register shall be notified to the other Party, and shall enter into force five days after the date of notification or on a later date indicated in such notification.
4. The authorized bodies of each Party shall:
  - (a) ensure that the description, quantity, and weight of the good, as specified, correspond to the consignment to be exported; and
  - (b) number consecutively the Certificates of Origin issued.

*Rule 4: Conditions for Completing an Origin Declaration*

1. An origin declaration referred to in subparagraph (b) of Rule 1 may be completed:
  - (a) by an approved exporter within the meaning of Rule 5; or
  - (b) by any exporter for a consignment that may consist of one or more packages containing originating goods, the total value of which does not exceed 2,000 US dollars or an equivalent amount in the currency of the importing Party.
2. An origin declaration shall be completed only where the good concerned is considered originating and has fulfilled other requirements under this Chapter and Chapter Three (Rules of Origin).
3. An exporter completing an origin declaration shall be prepared to submit at any time, upon request of the competent authority of the exporting or importing Party, all appropriate documents proving the originating status of the good concerned as well as the fulfillment of other requirements under this Chapter and Chapter Three (Rules of Origin).
4. An origin declaration shall be completed in English by the exporter, by typing, stamping, or printing on an invoice, a delivery note, or any other commercial document. If the declaration is handwritten, it shall be written in ink and in printed characters.
5. An exporter that has completed an origin declaration and becomes aware that the origin declaration contains incorrect information shall immediately notify the importer and the competent authority of the exporting Party in writing of any change affecting the originating status of each good to which the origin declaration is applicable.

*Rule 5: Approved Exporter*

1. The competent authority of the exporting Party may authorize any exporter (hereinafter referred to as the “approved exporter”), in accordance with its domestic legislation, to complete origin declarations irrespective of the value of the good concerned. An exporter seeking such authorization shall offer to the satisfaction of the competent authority all guarantees necessary to verify the originating status of the good as well as the fulfillment of other requirements under this Chapter and Chapter Three (Rules of Origin).
2. The competent authority shall grant to the approved exporter an authorization number which shall appear on the origin declaration.
3. The competent authorities of the Parties shall provide each other with the authorization numbers of the approved exporters. Any changes shall be notified by the Parties in advance, indicating the date when these changes will come into effect.
4. The competent authority of the exporting Party shall monitor the use of the authorization by the approved exporter.
5. The competent authority of the exporting Party may withdraw the authorization at any time. It shall do so where the approved exporter no longer fulfills the conditions stipulated in its domestic legislation or otherwise makes an incorrect use of the authorization.

*Rule 6: Record Keeping Requirements*

1. The records that may be used to prove that the good covered by a Certificate of Origin is originating and has fulfilled other requirements under this Chapter and Chapter Three (Rules of Origin) include, but are not limited to:
  - (a) documents related to the purchase of, cost of, value of, and payment for, the exported good;
  - (b) documents related to the purchase of, cost of, value of, and payment for all materials, including indirect materials, used in the production of the exported good;
  - (c) documents related to the production of the good in the form in which it was exported; and
  - (d) such other documents as the Parties may agree.
2. The exporter applying for the issuance of a Certificate of Origin shall keep at least for five years from the date of issuance of the Certificate of Origin the records referred to in paragraph 1.
3. The competent authority or the authorized bodies of the exporting Party issuing a Certificate of Origin shall keep a copy of the Certificate of Origin as well as the supporting information required for the certification at least for five years from its date of issuance.

4. The exporter providing a proof of origin shall keep, at least for five years from the date of issuance, a copy of the proof of origin in question as well as the documents referred to in paragraph 1.

5. The importer claiming preferential tariff treatment for a good imported into the territory of a Party shall keep, at least for five years from the date of importation of the good, the documents related to the importation, including a copy of the proof of origin.

6. An importer, exporter, or competent authority or the authorized bodies of the exporting Party may choose to keep the records specified in paragraph 1 in any medium that allows for prompt retrieval, including, but not limited to, digital, electronic, optical, magnetic, or written form.



Overleaf Instruction

Certificate No.: Serial number of Certificate of Origin assigned by the authorized body.

Box 1: State the full legal name and address (including country) of the exporter.

Box 2: State the full legal name and address (including country) of the producer. If goods from more than one producer are included in the certificate, list the additional producers, including their full legal name and address (including country). If the exporter or the producer wishes to maintain this information as confidential, it is acceptable to state "AVAILABLE UPON REQUEST." If the producer and the exporter are the same, please complete field with "SAME."

Box 3: State the full legal name and address (including country) of the consignee resident in either Korea or Peru.

Box 4: Complete the means of transport and route and specify the departure date, transport vehicle No., port of loading, and port of discharge.

Box 5: Any additional information such as Customer's Order Number, Letter of Credit Number, etc. may be included. In case where a good is invoiced by a non-Party operator, the full legal name of the non-Party operator shall be indicated in this box. If Article 3.7 (De Minimis) is applied, an indication may be made in this box.

Box 6: State the item number, and the number of items should not exceed 20.

Box 7: The number and kind of packages shall be specified. Provide a full description of each good. The description should be sufficiently detailed to enable the goods to be identified by the Customs Officers examining them and relate them to the invoice description and to the HS description of the good. If the goods are not packed, state "IN BULK". When the description of the goods is finished, add "\*\*\*" (three stars) or "\ " (finishing slash).

Box 8: For each good described in Box 7, identify the HS tariff classification to six digits.

Box 9: The exporter must indicate in Box 9 the origin criteria on the basis of which he claims that the goods qualify for preferential tariff treatment, in the manner shown in the following table:

Origin Criteria	Insert in Box 9
The good is wholly obtained or produced entirely in the territory of a Party, as set out and defined in Article 3.2 (Wholly Obtained or Produced Goods).	WO
The good is produced entirely in the territory of a Party, exclusively from materials whose origin conforms to Chapter 3 (Rules of Origin).	WP
The good is produced in the territory of a Party, using non-originating materials that conform to a change in tariff classification, a regional value content, a process requirement or other requirements specified in Annex 3A (Product Specific Rules of Origin).	PSR3
The good is subject to Article 3.15 (Principle of Territoriality)	OP

<sup>3</sup> When the good is subject to a regional value content (RVC) requirement stipulated in Annex 3A (Product Specific Rules of Origin), indicate the RVC percentage reached in the production of the good. In addition, indicate "BD" if the RVC is calculated according to the build-down method or "BU" if the RVC is calculated according to the build-up method.

Note: The instructions hereon are only used for purposes of reference to complete the Certificate of Origin, and thus do not have to be reproduced or printed in the overleaf page.

- Box 10: Gross weight in Kilos should be shown here. Other units of measurement e.g. volume or number of items which would indicate exact quantities may be used when customary.
- Box 11: Invoice number and date of invoice should be shown here. In case where a good is invoiced by a non-Party operator and the number and date of the commercial invoice is unknown, the number and date of the original commercial invoice, issued in the exporting Party, shall be indicated in this box.
- Box 12: This box shall be completed, signed and, dated by the exporter.
- Box 13: This box shall be completed, signed, dated, and stamped by the authorized person of the competent authority or authorized body.

**APPENDIX 4A-2  
ORIGIN DECLARATION<sup>4</sup>**

The origin declaration, the text of which is given below, must be completed in accordance with the footnotes. However, the footnotes do not have to be reproduced.

“The exporter of the goods covered by this document (authorization No.....<sup>5</sup>) declares that, except where otherwise clearly indicated, these goods are of...<sup>6</sup> preferential origin, on the basis of the following origin criteria.....<sup>7</sup>”

.....<sup>8</sup>  
(Place and date)

.....  
(Signature of the exporter; in addition, the name of the person signing the declaration has to be indicated in clear script)

.....  
(Remarks)<sup>9</sup>

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<sup>4</sup> The number of items covered by this declaration should not exceed 20.

<sup>5</sup> When the origin declaration is completed by an approved exporter within the meaning of Rule 5 of Annex 4A, the authorization number of the approved exporter must be entered in this space. When the origin declaration is not completed by an approved exporter, the words in brackets shall be omitted and the space shall be left blank.

<sup>6</sup> Origin of goods to be indicated (Korea, Peru).

<sup>7</sup> Origin criteria of goods to be indicated as in Box 9 of Appendix 4A-1.

<sup>8</sup> These indications may be omitted if the information is contained on the document itself.

<sup>9</sup> Special indication should be made, for instance, in the case of goods subject to Article 3.15 (Principle of Territoriality): “Article 3.15 has been applied.”



### *Instructions for Completing the Certificate of Origin*

- Field 1: State the full legal name, address (including city and country), telephone number, fax number, and e-mail address of the exporter.
- Field 2: Complete this Field if the Certificate covers multiple shipments of identical goods as described in Field 5 that are imported into Korea or Peru by the same importer for a specified period of up to 12 months (blanket period). “FROM” is the date upon which the Certificate becomes applicable to the good covered by the blanket Certificate (it may be earlier than the date this Certificate is signed). “TO” is the date upon which the blanket period expires. The shipment of a good for which preferential tariff treatment is claimed based on this Certificate must occur between these dates.
- Field 3: If one producer, state the full legal name, address (including city and country), telephone number (optional), and e-mail address (optional) of said producer. If more than one producer is included on the Certificate, state "VARIOUS" and attach a list of all producers, including their legal names, addresses (including city and country), telephone numbers (optional), and e-mail addresses (optional) cross-referenced to the good(s) described in Field 5. If you wish this information to be confidential, it is acceptable to state “AVAILABLE UPON REQUEST”.
- Field 4: State the full legal name, address (including city and country), telephone number, fax number, and e-mail address of the importer.
- Field 5: Provide a full description of each good. The description should contain sufficient detail to relate it to the invoice description and to the Harmonized System (HS) description of the good. If the Certificate covers a single shipment of a good, it should list the quantity and unit of measurement of each good, including the series number, if possible, as well as the invoice number as shown on the commercial invoice. If not known, indicate another unique reference number, such as the shipping order number, purchase order number, or any other number that can be used to identify the goods.
- Field 6: For each good described in Field 5, identify the HS tariff classification to six digits.
- Field 7: For each good described in Field 5, state which criterion (A through D) is applicable (select one). The rules of origin are contained in Chapter Three (Rules of Origin) and Annex 3A (Product Specific Rules of Origin).

#### Origin Criteria

- A The good is “wholly obtained or produced entirely” in the territory of one or both of the Parties, as referred to in Article 3.1.1(a).
- B The good is produced entirely in the territory of one or both of the Parties exclusively from originating materials as referred to in Article 3.1.1(b).
- C The good is produced entirely in the territory of one or both of the Parties and satisfies the specific rule of origin, set out in Annex 3A (Product Specific Rules of Origin), as referred to in Article 3.1.1(c).
- D The goods subject to Article 3.15 (Principle of Territoriality).
- Field 8: For each good described in Field 5, state “YES” if you are the producer of the good. If you are not the producer of the good, state “NO” followed by (1), (2), or (3), depending on whether this Certificate was based upon: (1) your knowledge of whether the good qualifies as originating; (2) your reliance on the producer’s written representation (other than a Certificate of Origin) that the good qualifies as originating; or (3) a completed and signed Certificate for the good, voluntarily provided to the exporter by the producer.
- Field 9: For each good described in Field 5, where the good is subject to a regional value content (RVC) requirement, indicate “BD” if the RVC is calculated according to the build-down method, or “BU” if the RVC is calculated in accordance with the build-up method. (Reference: Article 3.3 (Regional Value Content (RVC))).

Field 10: Identify the name of the country of origin (“KR” for all originating goods exported to Peru; “PE” for all originating goods exported to Korea).

Field 11: This Field may be used when there are additional remarks relating to this Certificate, such as, when the good or goods described in Field 5 have been subject to an advance ruling or a ruling on the classification or value of materials. Indicate the issuing authority, the reference number, and the date of issuance. If Article 3.7 (De Minimis) is applied, an indication may be made in this Field.

Field 12: This Field must be completed, signed, and dated by the exporter or the producer. The date must be the date the Certificate was completed and signed.

Note: The instructions hereon are only used for purposes of reference to complete the Certificate of Origin, and thus do not have to be reproduced or printed in the overleaf page.