

Nomor : 49/DAGLU/SD/2/2014
Sifat : Segera
Lampiran : -
Hal : Penerbitan SKA Form A untuk *Tobacco Products* dari Indonesia ke Sri Lanka dalam skema *Cross Regional Cumulation European Union (EU) Generalised Tariff Preferences (GSP)*

Jakarta, 11 Februari 2014

Yth.

1. Seluruh Instansi Penerbit Surat Keterangan Asal (IPSKA)
2. Para Eksportir Pengguna Surat Keterangan Asal (SKA)

di

Tempat

Komisi Eropa telah menyetujui permintaan bersama Indonesia dan Sri Lanka terkait *cross regional cumulation GSP for tobacco products* pada tanggal 12 Desember 2013 yang ditandai dengan penerbitan *Regulation No. 1328/2013* (terlampir).

Sehubungan dengan hal tersebut dengan ini disampaikan kepada seluruh Instansi Penerbit Surat Keterangan Asal (IPSKA) dan para eksportir pengguna Surat Keterangan Asal (SKA) hal-hal sebagai berikut untuk menjadi perhatian:

1. EU memberikan fasilitas *cross-regional cumulation* untuk penggunaan *unmanufactured tobacco* dan *tobacco refuse* (HS 2401) asal Indonesia sebagai bahan baku yang dapat diproses lebih lanjut dalam pembuatan *cigar* oleh Sri Lanka sesuai ketentuan yang ditetapkan EU agar dapat menikmati tarif yang lebih rendah sesuai skema GSP.
2. SKA Form A dapat diterbitkan untuk ekspor *unmanufactured tobacco* dan *tobacco refuse* (HS 2401) asal Indonesia ke Sri Lanka dalam hal GSP EU.
3. Fasilitas ini berlaku sejak 1 Januari 2014 sepanjang Indonesia dan Sri Lanka masih menjadi *GSP beneficiary countries*.

Demikian disampaikan, atas perhatian dan kerjasama Saudara diucapkan terima kasih.



Direktur Jenderal Perdagangan Luar Negeri

Bachrul Chairji

Tembusan:

1. Direktur Kerja Sama Bilateral;
2. Sekretaris Ditjen Perdagangan Luar Negeri;
3. Atase Perdagangan Kedutaan Besar Republik Indonesia di Brussels.

**COMMISSION IMPLEMENTING REGULATION (EU) No 1328/2013
of 12 December 2013**

granting cross-regional cumulation between Indonesia and Sri Lanka as regards the rules of origin used for the purposes of the scheme of generalised tariff preferences pursuant to Regulation (EEC) No 2454/93

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, and in particular Article 247 thereof,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, and in particular Article 86 thereof,

Whereas:

- (1) Article 86(5) of Regulation (EEC) No 2454/93 provides that and sets conditions under which beneficiary countries of the Union Generalised System of Preferences (GSP) belonging to regional groups I and III may be allowed to use each other's materials under a specific type of cumulation usually called 'cross-regional cumulation'.
- (2) By letter dated 15 April 2013, Indonesia and Sri Lanka submitted a joint request for cross-regional cumulation pursuant to Article 86(5) of Regulation (EEC) No 2454/93.
- (3) The countries concerned propose that, in order to stimulate trade and contribute to the growth of both economies, the tobacco growing sector of Indonesia be allowed to supply the Sri Lankan cigar manufacturing sector with materials of Indonesian origin that Sri Lanka could use there under cumulation in further working or processing going beyond the operations described in Article 78(1) of Regulation (EEC) No 2454/93.
- (4) In the request, both countries have undertaken to comply or ensure compliance with the GSP rules of origin and to provide the administrative cooperation necessary to ensure the correct implementation of these rules both with regard to the Union and between themselves.
- (5) The request contains a description of the materials to be used under cumulation, which are unmanufactured tobacco and tobacco refuse of Harmonised System (HS) heading 2401, as well as the processing phases and the supporting processes to be carried out in Sri Lanka.
- (6) The requesting countries submit that the cross-regional cumulation, if granted, would have positive effects on the economies of both countries and would not affect negatively the sectors of the Union economy involved in cigar production and sale.
- (7) The possibility for Sri Lanka to cumulate materials of HS heading 2401 originating in Indonesia should therefore be granted, provided that both countries remain GSP beneficiary countries in the sense of Article 2(d) of Regulation (EU) No 978/2012 of the European Parliament and of the Council ⁽³⁾.
- (8) The European Commission will monitor the evolution of the imports resulting from this authorisation and in the light of this monitoring, may reconsider this authorisation based on criteria such as the increase of quantity of imports.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Sri Lanka is hereby entitled to use, in accordance with Article 86(5) of Regulation (EEC) No 2454/93, unmanufactured tobacco and tobacco refuse of HS code 2401 originating in Indonesia under cumulation of origin. In accordance with Article 86(2)(a) of Regulation (EEC) No 2454/93, this entitlement is conditional upon both Sri Lanka and Indonesia remaining at the time of exportation of the product to the Union beneficiary countries in the sense of Article 2(d) of Regulation (EU) No 978/2012.

⁽³⁾ Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

Article 2

This Regulation shall enter into force on 1 January 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 2013.

For the Commission
The President
José Manuel BARROSO
