

Origin

The Customer shall provide the applicable origin of the Product and, where relevant, the supporting information and documentation required to substantiate that origin.

Origin information provided when Products are received at the Terminal is also relevant for subsequent movements and loading operations. Where Products are later loaded or otherwise removed from the Terminal, the origin of the Product being loaded may need to be established based on the origin of the components or quantities from which that Product is composed.

The Customer shall therefore provide accurate origin information when Products are received and shall provide the corresponding substantiating documentation where applicable. This information must remain available for subsequent determination of the origin of Products loaded from the Terminal.

Origin requirements can differ depending on whether **non-preferential origin** or **preferential origin** is concerned. The Customer shall clearly distinguish between the two where both are relevant.

- Non-Preferential Origin
- Preferential Origin

Non-Preferential Origin

Unless specifically stated otherwise, a reference to the origin of a Product in the context of customs declarations refers to its **non-preferential origin**.

Non-preferential origin is used, among other things, to determine the applicable Most-Favoured-Nation (MFN) treatment and for the application of Commercial Policy Measures, such as:

- anti-dumping and countervailing duties;
- trade embargoes;
- safeguard measures;
- quantitative restrictions and tariff quotas;
- trade statistics;
- public procurement requirements; and
- origin marking requirements.

The European Union applies its own non-preferential rules of origin. These rules may differ from the rules applied by other countries.

The Customer shall therefore provide the **country of non-preferential origin applicable for EU customs purposes**. The country of origin used for another jurisdiction or for another purpose cannot automatically be assumed to be the origin applicable for an EU customs declaration.

Where the origin depends on processing, manufacturing, blending or other operations performed in more than one country, the Customer shall provide sufficient information to establish the applicable EU non-preferential origin.

For EU customs purposes, the applicable **non-preferential origin** must be **determined under EU rules**—not necessarily the rules of the country of shipment or another jurisdiction.

In particular, where a Product is received at the Terminal and subsequently blended, combined, transferred or otherwise incorporated into a Product that is loaded from the Terminal, the origin information of the Products and components received at the Terminal may be required to determine the non-preferential origin of the Product ultimately loaded.

The Customer shall therefore ensure that, for each relevant quantity received, the origin and the supporting documentation provided at receipt are available for subsequent use in determining the origin of Products loaded from the Terminal.

Where a Commercial Policy Measure applies or may apply based on origin, the Customer shall specifically identify this to the Company and provide any additional information or documentation required to determine the applicability of the measure.

Preferential Origin

Preferential origin is relevant where the Customer intends to claim preferential tariff treatment under an applicable free trade agreement, preferential arrangement or other autonomous arrangement.

Preferential origin is not the same as non-preferential origin and must be supported by the applicable origin rules and proof.

Preferential origin is obtained only where the Product fulfils the specific origin criteria applicable under the relevant agreement or arrangement. Depending on the applicable rules, this may require the Product to be wholly obtained in a particular country or to have undergone specified processing or working there.

Preferential origin may allow Products traded between participating countries to benefit from a reduced or zero rate of customs duty.

The Customer shall not assume that the country of non-preferential origin is automatically the country of preferential origin. The two concepts are determined under different rules and may produce different results.

Where a Product is received at the Terminal and is subsequently blended, combined, transferred or otherwise incorporated into a Product that is loaded from the Terminal, the origin information and supporting documentation relating to the Products and components received at the Terminal may be relevant to determining whether the Product ultimately loaded qualifies for preferential origin.

The Customer shall therefore provide and maintain, for each relevant quantity received:

- the applicable preferential country of origin;
- the relevant preferential trade agreement or arrangement, where applicable;
- the required proof or statement of origin;
- any supplier declaration or other supporting documentation required under the applicable rules; and
- any other information necessary to demonstrate that the Product fulfils the applicable preferential origin requirements.

The information and documentation available at receipt may form an essential part of determining the origin of the Product subsequently loaded. The Customer shall therefore ensure that the origin information and its supporting documentation are provided at the time the relevant Products are

received and remain available for subsequent origin determinations.

The Customer remains responsible for ensuring that the Product fulfils the applicable preferential origin criteria and that any proof or statement of origin provided to the Company is valid and accurate.