
LAW OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ON THE ORIGIN OF EXPORTS

Adopted by Decree No. 446 of the Presidium of the Supreme People's Assembly on November 25, 2009

Article 1 (Objective)

This Law is enacted for the purpose of providing strict guidelines for the certification of origin of exports, thereby contributing to the promotion of foreign trade.

Article 2 (Definitions)

In this Law the following terms shall be construed as follows:

1. *Origin of exports* means the name of the country where an export is produced;
2. *Certification of origin of exports* means the work of certifying, upon request of the exporter concerned, that the origin of an export is the DPRK;
3. *Certificate of origin* means an authentication document issued by an origin certification institution after verifying the origin;
4. *Exporter* means an institution, an enterprise or an organization of the DPRK and a foreign-invested enterprise that exports its products to foreign countries; and
5. *Importer* means a corporate body or an individual of a foreign country that imports products manufactured in the territory of the DPRK

Article 3 (Object of regulation)

This Law regulates the procedures and methods concerning the certification of origin of exports.

This Law shall also be applicable to foreign-invested enterprises that wish to obtain certification of origin of exports.

Article 4 (Effect of international agreements)

Agreements concluded by the DPRK with foreign countries or international organizations shall have the same effect as this Law.

Article 5 (Certifying Institution)

Certification of origin of exports in the DPRK shall be undertaken by the Korean Chamber of Commerce and the institution concerned.

Article 6 (Exports originating from the DPRK)

The following shall be the exports whose origins are in the DPRK.

1. Minerals exploited and goods processed therefrom in the territory of the DPRK;
2. Plants collected and goods processed therefrom in the territory of the DPRK;
3. Animals bred and goods processed therefrom in the territory of the DPRK;
4. Fish caught and goods processed therefrom in the territory of the DPRK;

5. Goods manufactured with the raw materials and supplies of the DPRK;
6. Goods manufactured anew with the components brought in from foreign countries; and
7. Goods finished in the territory of the DPRK with the imported raw materials and supplies

Article 7 (Principle of issuing certificate of origin)

The origin certifying institution shall issue a certificate of origin only when the export in question satisfies the prescribed criteria.

Article 8 (Applicant for certification of origin)

Application for the certification of origin of an export shall be made by the exporter concerned upon request by the importer concerned.

An agent may, upon the authorization of the exporter concerned, apply for the certification of origin of an export, provided that a letter of attorney is produced.

Article 9 (Application for issuance of certificate of origin)

An exporter that wishes to obtain a certification of origin shall file an application to the certifying institution.

The application shall contain the name and address of the exporter concerned, description, quantity and place of production and be affixed with the official seal of the applying institution.

Article 10 (Issuance of certificate of origin)

The certifying institution shall, upon receipt of an application, review it responsibly and issue a certificate of origin within 10 days of receipt thereof.

The certificate shall specify the name of the exporter and importer concerned, conveyance to be used, description, quantity and date of issuance, as well as the serial number of the certificates issued, with the authenticating seal affixed thereto.

Article 11 (Rejection of issuance of certificate of origin)

Where any error is found in an application for the certification of origin of an export, the certifying institution may require an applicant to rectify it.

Where the applicant fails to remedy the error, a certificate of origin shall not be issued.

Article 12 (Language of certificate of origin)

A certificate of origin shall be prepared in Korean.

In case of need, international official languages or other foreign languages may be used together with Korean.

Article 13 (Application for re-issuance of certificate of origin)

An exporter that lost or soiled a certificate of origin may submit an application to the certifying institution for re-issuance. Such application shall not be made in case 6 months have passed since the issuance of the original certificate of origin.

Article 14 (Contents of application for re-issuance)

An application for re-issuance of a certificate of origin shall specify the name and address of the exporter, reason for re-issuance, number of the original copy and duplicates of the certificate of origin, date and number of issuance and other information required by the certifying institution.

Article 15 (Re-issuance of certificate of origin)

The certifying institution shall review an application for re-issuance of a certificate of origin and accompanying information, and reissue a certificate of origin. In this case re-issuance mark shall be placed and the number of the original certificate shall be written thereon.

Article 16 (Confiscation of soiled certificate of origin)

Where a certificate origin is re-issued, the certifying institution shall confiscate the soiled certificate.

Article 17 (Fees)

An exporter shall pay prescribed fees when applying for issuance of a certificate of origin.

The amount of fees shall be set by the central price fixing institution.

Article 18 (Period of retention of data)

The certifying institution shall retain for 1 year the data concerning the issuance of a certificate of origin.

Article 19 (Handling of request for information concerning certification of origin)

Where an exporter requests information concerning certification of origin, the certifying institution may provide it subject to the approval of the competent institution.

Article 20 (Supervision and control)

Supervision and control of the work related to the certification of origin shall be undertaken by the certifying institution and the supervisory and regulatory institution concerned.

The certifying institution and the supervisory and regulatory institution shall exercise regular supervision and control of the work related to the certification of origin.

Article 21 (Suspension and withdrawal of certificate of origin, imposition of fine)

Where information concerning the certification of origin has been misrepresented, a certificate of origin fabricated or assigned without approval, the issuance thereof shall be suspended, the issued certificate of origin withdrawn or fine imposed.

Article 22 (Administrative or penal liability)

A person who caused serious consequences through violation of this Law shall, depending on the seriousness of the offence, be liable to administrative or penal liability.

Article 23 (Complaints, settlement)

Complaints regarding the certification of origin shall be lodged with the competent institution.

The competent institution shall settle the complaints within 30 days of receipt thereof.