



Ottawa, March 19, 2010

MEMORANDUM D11-5-1

In Brief

NAFTA RULES OF ORIGIN

1. The title of this memorandum has been changed from *NAFTA Rules of Origin Regulations* to *NAFTA Rules of Origin*.
2. This memorandum has been revised to reflect recent amendments to the *NAFTA Rules of Origin Regulations* as a result of the modifications to the Harmonized Commodity Description and Coding System which came into force on January 1, 2007. These amendments make a number of changes to the numbering of headings, subheadings or tariff items. They are technical in nature and do not represent a change in policy.
3. Also, this revised memorandum will provide a stable link to the official version of the *NAFTA Rules of Origin Regulations*. The *NAFTA Rules of Origin Regulations* are no longer fully excerpted in this memorandum.
4. These Regulations, amending the *NAFTA Rules of Origin Regulations* as a result of the modifications to the Harmonized Commodity Description and Coding System, came into force on September 1, 2009.



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Ottawa, March 19, 2010

MEMORANDUM D11-5-1

NAFTA RULES OF ORIGIN

This memorandum provides a stable link to the Department of Justice for the official version of the *NAFTA Rules of Origin Regulations* that are used to determine the entitlement of goods to preferential tariff treatment under the North American Free Trade Agreement (NAFTA).

This memorandum also contains guidelines respecting recent amendments to the Regulations and contact numbers for additional information on the administration of the Regulations.

Regulations

The current version of the *Regulations Respecting the Uniform Interpretation, Application and Administration of the Rules of Origin Under the North American Free Trade Agreement (NAFTA Rules of Origin Regulations)* may be found on the Department of Justice Web site at: <http://laws-lois.justice.gc.ca/PDF/Regulation/S/SOR-94-14.pdf>.

The *NAFTA Rules of Origin Regulations* can be found on pages 1 through 118 on SOR/94-14.

GUIDELINES AND GENERAL INFORMATION

General

1. The following provisions of the *NAFTA Rules of Origin Regulations* have been amended as a result of the modifications to the Harmonized Commodity Description and Coding System:

- (a) Paragraph 5(4)(i) *De minimis*;
- (b) Subparagraph 6(6)(d)(iv) *Regional Value Content*;
- (c) Subsection 16(3) *Transshipment*; and
- (d) Schedule IV List of Tariff Provisions for the Purpose of Section 9.

Additional Information

2. For more information, within Canada call the Border Information Service at **1-800-461-9999**. From outside Canada call 204-983-3500 or 506-636-5064. Long distance charges will apply. Agents are available Monday to Friday (08:00 – 16:00 local time/except holidays). TTY is also available within Canada: **1-866-335-3237**.

REFERENCES

<p>ISSUING OFFICE – Origin and Valuation Division</p>	<p>HEADQUARTERS FILE – 4571-6-1</p>
<p>LEGISLATIVE REFERENCES – Order in Council P.C. 1993-2186 Order in Council P.C. 1994-2153 Order in Council P.C. 1995-2233 Order in Council P.C. 1995-2234 Order in Council P.C. 1997-0585 Order in Council P.C. 2000-0266 Order in Council P.C. 2001-2417 Order in Council P.C. 2002-2240 Order in Council P.C. 2004-1605 Order in Council P.C. 2006-497 Order in Council P.C. 2009-994</p>	<p>OTHER REFERENCES –</p>
<p>SUPERSEDED MEMORANDA “D” – D11-5-1 dated April 16, 2003</p>	

Services provided by the Canada Border Services Agency are available in both official languages.

