

Singapore

**FREE TRADE AGREEMENT BETWEEN THE EUROPEAN UNION AND THE
REPUBLIC OF SINGAPORE**

(...)

PROTOCOL 1

**CONCERNING THE DEFINITION OF THE CONCEPT OF “ORIGINATING
PRODUCTS” AND METHODS OF ADMINISTRATIVE CO-OPERATION**

(...)

Article 29

Administrative Enquiries

1. Where the results of the verification procedure or any other available substantive information appear to indicate that the provisions of this Protocol are being contravened, the exporting Party shall, on its own initiative or at the request of the other Party, carry out appropriate enquiries or arrange for such enquiries to be carried out with due urgency to identify and prevent such contraventions. The results of such enquiries shall be communicated to the Party requesting verification.
2. The Party requesting verification may be present at the enquiries, subject to conditions that may be laid down by the competent authority in the exporting Party.
3. Where a Party has made a finding, on the basis of objective information, of a repeated failure¹ to provide administrative cooperation under this Section, or of systematic and intentional fraud from the other Party, the Party concerned may temporarily suspend the relevant preferential treatment of the product or products concerned in accordance with paragraph 4.
4. The application of a temporary suspension shall be subject to the following conditions:
 - (a) the Party which has made a finding, in accordance with paragraph 3, shall without undue delay notify the Trade Committee established pursuant to Article 16.1 (Trade Committee) of its finding together with the objective information and its recommended course of action to be taken. Upon receipt of such notification, the Trade Committee shall deliberate on the appropriate course of action on the basis of all relevant information and objective findings, with a view to reaching a solution acceptable to both Parties. During the period of consultations referred to above, the product(s) concerned shall enjoy the preferential treatment;
 - (b) where the Parties have entered into consultations with the Trade Committee and have failed to agree on an acceptable solution within three months following the

notification, the Party concerned may temporarily suspend the relevant preferential treatment of the product(s) concerned in so far as is strictly necessary to address the Party's concerns. Such temporary suspension shall be notified to the Trade Committee without undue delay;

- (c) temporary suspensions under this Article shall be commensurate with the impact on the financial interests of the Party concerned arising from the situation giving rise to the finding of the Party referred to paragraph 3. They shall not exceed a period of six months, which may be renewed, if at the date of expiry nothing substantive has changed with respect to the condition that gave rise to the initial suspension; and
- (d) temporary suspensions, and any renewal thereof, shall be notified immediately after their adoption to the Trade Committee. They shall be subject to periodic consultations within the Trade Committee, in particular with a view to their termination as soon as the conditions for their application no longer apply.

1 For the purposes of paragraph 3 of Article 29 (Administrative Enquiries), a repeated failure to provide administrative cooperation shall mean, *inter alia*, a repeated failure to respect the obligations to verify the originating status of the product(s) concerned, or a repeated refusal or undue delay in carrying out and/or communicating the results of enquiries and/or subsequent verification of the proof of origin, over a continuous period of ten months.