

March 4, 2014

THE CUSTOMS ACT

The Customs Tariff (CARICOM/Costa Rica Free Trade Agreement) Resolution, 2014

WHEREAS under section 5 of the Customs Act the House of Representatives may, from time to time, by resolution impose import duties and revoke, reduce, increase or alter any duties so imposed and may provide for the importation of any goods without payment of customs duties thereon:

AND WHEREAS an order or resolution made or passed pursuant to section 5, 6 or 7 of the Customs Act, may differentiate between the goods of different countries, and may do so subject or not to conditions and imposing, varying or revoking import or export duties or providing exemptions therefrom as to the place from which the goods are consigned to Jamaica:

AND WHEREAS the CARICOM/Costa Rica Free Trade Agreement between CARICOM (of which Jamaica is a Member State) and Costa Rica was signed on the 9th day of March, 2004, which introduces reciprocal arrangements between Jamaica and Costa Rica for entry into Jamaica, free from duty, of –

- (a) all goods, other than those set out in the list of goods to be excluded from liberalization and for which the Most Favoured Nation rate or the duty will remain in force;
- (b) all goods specified in the Schedule of Products to be Subject to Phased Liberalization (set out in Table C1 of the Agreement);
- (c) seasonal products within the periods specified in the Schedule of Agricultural Products Subject to Seasonal Treatment (set out in Table A1 of the Agreement):

AND WHEREAS it is desirable, with a view to implementing the Agreement to make provisions in relation to specified goods imported into Jamaica from Costa Rica:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives

as follows:-

1. This Resolution may be cited as the Customs Tariff (CARICOM/Costa Rica Free Trade Agreement) Resolution, 2014, and shall be read and construed as one with the Customs Tariff (Revision) Resolution, 1972, (hereinafter referred to as the "principal Resolution") and all amendments thereto.
2. – (1) The goods specified in the First Schedule to this Resolution and originating in Costa Rica are exempt from import duty imposed under the First Schedule to the principal Resolution.
 - (2) The agricultural products specified in the Second Schedule to this Resolution and originating in Costa Rica are –
 - (a) subject to paragraph (b), exempt from import duty under the First Schedule to the principal Resolution;
 - (b) during the months of highest Jamaica production specified in that Third Schedule, subject to the imposition of import duty at the Most Favoured Nation rate.
3. Goods shall be taken to originate in Costa Rica, if they are shown, to the satisfaction of the Commissioner of Customs, to have been produced or manufactured in accordance with the Rules of Origin set out in Chapter IV of the Agreement.
4. – (1) The provisions of paragraph 2 shall not apply to used goods.
 - (2) For the purposes of this paragraph, "used goods" means –
 - (a) with respect to motor vehicles, vehicles which are produced in a period of more than six months before their importation into Jamaica; and
 - (b) with respect to other goods, goods which show evidence of wear or of being irregular, imperfect or discarded from the production process.
5. Reference in the Schedules to this Resolution to Tariff Headings and Chapters are references to Tariff Headings and Chapters in the First Schedule to the principal Resolution, and the general provisions thereto shall extend, so far as they are applicable,

to the respective Schedules to this Resolution.

FIRST SCHEDULE

(Paragraph 2(1))

**Goods originating in Costa Rica and Eligible for Total
Exemption from Customs Duty**

(Insert Here)

SECOND SCHEDULE

(Paragraph 2(3))

**Agricultural Products Originating in Costa Rica and Subject to
Most Favoured Nation Rate of Duty During Months of Highest
Jamaica Production**

(Insert Here)