

MINISTERIAL DIPLOMA No. 01/2009

Of 18 September 2009

CERTIFICATION PROCEDURES FOR THE ORIGIN OF CAFÉ DE TIMORLESTE

It is incumbent upon the Ministry of Tourism, Commerce and Industry, in the pursuit of its legal attributions and in the harmonious development of the program of the IV Constitutional Government and its organic law, the mission of facilitating the economic activity of international exchanges in foreign trade, as well as defending consumers; Within this framework and in development of the standards assumed within the scope of the procedures of the International Coffee Organization (ICO), of which Timor-Leste is a full member,

Thus, the Government orders, by the Minister of Tourism, Commerce and Industry, under the legal rules identified above, to publish the following legal diploma:

Article 1

Scope

The purpose of this legal diploma is to certify the origin of Timor-Leste's coffee, as an exclusively national product, for all foreign trade purposes and in accordance with the rules of the International Coffee Organization (ICO), of which Timor-Leste is member.

Article 2

Authorized companies

1. The product designated as *Café de Timor-Leste* can only be exported by companies approved and registered with the Ministry of Tourism, Commerce and Industry, hereinafter abbreviated as MTCI, called “authorized companies”.
2. The approval and registration referred to in the previous number are valid indefinitely, provided that the authorized company maintains its activity as an exporter and complies with the laws and regulations in force.
3. The status of authorized company is extinguished in the case of coffee export inactivity for more than one consecutive year.
4. To obtain the status of authorized company, the exporter must submit the application to the MTCI, enclosing the following documents:
 - a) Activity license or equivalent document issued by the Government;
 - b) The Tax Identification Number;
 - c) Copy of the company's statutes.
5. The decision of the application will be issued within a maximum period of 7 working days, from the date of submission of the application, accompanied by the documents referred to in the previous number, to the MTCI, unless such documents give rise to serious doubts or contradictions with the economic activity.

Article 3

Timorese coffee exports

1. For the purposes of this diploma, exported coffee means the foreign trade operation, initiated in Timor-Leste, of the products referred to in the positions of the Harmonized System of Customs Tariffs 09.01 and 21.01, best identified in Annex I of this diploma and that is an integral part of it.

2. Coffee can only be exported if accompanied by the forms of certificates of origin in use or a copy of the form set out in Annex II, duly endorsed and stamped by the National Directorate of External Trade (DNCE), in this case valid for 30 days, renewable once.
3. Forms of certificates of origin follow ICO standards and serve as supporting documents that coffee exported from Timor-Leste was produced and, or processed in Timor-Leste, by a recognized company.
4. The certificates of origin in Annex I, or the equivalent document in Annex II, are issued in one original and 3 copies:
 - a) The original stamped by Customs is given to the Exporter.
 - b) The first copy stamped by Customs is filed with DNCE for ICO;
 - c) The second copy goes to Customs
 - d) The third copy is in the DNCE.
5. The documents referred to in this provision must be kept on file for a minimum period of 5 years.

Article 4

Duties of cooperation and information

1. Companies authorized to export coffee are obliged to submit to DNCE summary maps of the exports they make monthly, until the 10th of the following month.
2. The summary maps to be presented, obey the forms contained in the document “icc-102-10 rules statistics” in Annexes I-A, I-B and I-C (for exporting Members). The lack of presentation may imply the suspension of the status of an authorized company in the case of unjustified recidivism, by decision of the Director-General of the Ministry of Tourism, Commerce and Industry, on the proposal of DNCE, admitting a hierarchical appeal to the Minister.

Article 5

Entry into force

This law enters into force on the day following the date of its publication.

Dili, September 18, 2009

The Minister of Tourism, Commerce and Industry,

Gil da Costa A. N. Alves

ANNEX I

Form of coffee	HS Code	Description
Green – <i>Verde</i>	0901.11	Coffee not roasted, not decaffeinated
	0901.12	Coffee not roasted, decaffeinated
Roasted	0902.11	Coffee roasted, not decaffeinated
	0902.12	Coffee roasted, decaffeinated
Soluble	2101.11.00	Extracts, essences and concentrates of coffee
	2101.12.92	Preparations with a basis of extracts, essences and concentrates of coffee
	2101.12.98	Preparations with a basis of coffee

TEMPLATES

Certificate of Origin

(...)

Certificate of Origin Application Letter (LETTER HEAD OF COMPANY))

“CERTIFICATE OF ORIGIN ENDORSEMENT APPLICATION LETTER”

(...)