



**ASEAN-Australia-New Zealand Free Trade Area (AANZFTA)  
Economic Cooperation**

**Request for Proposal**

**Consulting Opportunity for  
Transposition of the AANZFTA Product Specific Rules  
(PSR) from Harmonised System (HS) 2017 to 2022**

**PROPOSAL MUST BE RECEIVED BY  
30 September 2022**

**EMAIL PROPOSAL TO:**

External Economic Relations Division  
ASEAN Economic Community Department  
The ASEAN Secretariat  
Jakarta 12110, Indonesia  
Email: [ecwp@asean.org](mailto:ecwp@asean.org)

---

Prepared by: TFD/EERD/MID  
September 2022

## **1 EXECUTIVE SUMMARY**

---

---

To maintain relevance and address the changing demands of international trade, the Harmonized Commodity Description and Coding System or Harmonized System (HS), administered by the World Customs Organization (WCO), is updated regularly, approximately every five years. Such update by the WCO in turn requires corresponding update by all WCO/WTO Parties to product specific rules (PSRs) in their respective FTAs, including the AANZFTA. Timely transposition of PSR as committed under the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) Agreement would ensure predictability and transparency and encourage use of tariff preference among the businesses. Any delay, therefore, could entail high costs or unrealized benefits for the exporters and importers in the AANZFTA region.

Through assisting Parties in transposing their respective AANZFTA PSR from HS 2017 into HS 2022 to facilitate timely implementation of the commitments, this project aimed to address the issues related to the delays experienced in the PSR transposition following the periodic updates of the HS, including drafting the new Tariff Reduction Schedule (TRS) and PSR and verification process.

This project is built upon the follow-up actions and recommendations of the previously implemented AECSP project on the transposition of TRS and PSRs into HS 2017 and the agreed decision from the 15<sup>th</sup> CTG Meeting 2019, to consider new Economic Cooperation Work Programme (ECWP) project to assist Parties with the transposition into HS 2022. Further the design of this project has taken into account the outcomes of the 17<sup>th</sup> AANZFTA Sub-Committee on Rules of Origin (SCROO) and the Third Round of AANZFTA Rules of Origin Upgrade Negotiations in October 2021 on the necessity of a transposition exercise of the AANZFTA PSR.

This project aims to support SC-ROO to finalise the transposed PSR for AANZFTA ROO from HS 2017 to HS 2022 by February 2023.

## **2 SCOPE OF WORK**

---

### **2.1 THE ASSIGNMENT**

---

#### **I. BACKGROUND**

1. The Harmonized Commodity Description and Coding System or Harmonized System (HS) is the internationally harmonized system used by most countries as the basis for their national systems to among others, classify goods for levying tariffs and for collecting merchandise trade statistics. The HS is overseen by the World Customs Organization (WCO) and is normally updated every five years to maintain its relevance to the needs of international trade and the policy objectives of the countries that use it in their national systems. The HS is also used as the basis for recording the internationally binding commitments on tariff rates that governments make in the tariff schedules annexed to trade agreements, including the World Trade Organization (WTO) and Free Trade Agreements (FTAs). These tariff bindings provide certainty to business and are an important contributor to promoting increased investment and economic growth in the countries that are Parties to these Agreements.
2. Whenever the HS is updated, Rules of Origin PSR and the tariff schedules recording WTO and FTA tariff bindings need to be updated and published so that they can continue to provide certainty to business and facilitate trade and investment. It is important that this transposition is done in a timely but careful manner to preserve the tariff bindings and rules neutrality so that international trade is not disrupted. Such update also requires transposition of PSRs in ASEAN + 1 FTAs, including the AANZFTA. The timely transposition of PSR in AANZFTA Agreement would ensure predictability and transparency for the private sector. Any delay, therefore, could entail high costs or unrealized benefits for the exporters and importers in the region.
3. The timely transposition of PSR for AANZFTA ROO from HS 2017 to HS 2022 is crucial in facilitating trade under AANZFTA, specifically for origin certification of goods eligible for AANZFTA preferential treatment and its applicable preferential tariff rates and reinforces the strong commitment of all Parties to promoting trade in the region. The delay transposition PSR would be a burdensome for stakeholders in AANZFTA Parties as it could hinder business utilisation of AANZFTA in their countries.
4. Based on lessons learned from the previous exercise in the transposition of PSR of AANZFTA ROO into HS 2012 where there was no joint consultation session, the transposition took nearly three years to complete the process of transposing the AANZFTA PSRs from HS 2007 into HS 2012. Therefore, the PSR in HS 2012 was only implemented in October 2015. The delay of completing the transposition of PSRs was mostly caused by the lack of coordination among relevant agencies such as agencies responsible for trade, finance, customs, and industries. Meanwhile, closer internal coordination between policy makers and operational/technical personnel of those agencies contribute significantly to the process of transposition. This is evidenced by the transposition of the AANZFTA PSR from HS 2012 into HS 2017 where 513 PSR lines out of 530 lines were agreed during the Joint Sessions and the pending PSR lines were agreed afterwards in late 2017.

## II. PURPOSE OF THE ASSIGNMENT

5. AANZFTA is seeking the services of a team of international expert consultants to support AANZFTA SC-ROO to address the following issues:
  - a. On coordination: by bringing all related agencies into the joint session to undertake the transposition exercise. The involvement of policy makers will contribute to obtaining political commitment to hasten and sustain the transposition agenda of AANZFTA PSR; and
  - b. On capacity building: some AANZFTA Parties, limited human resources capacity to transpose PSR becomes a challenge for Parties which affects the timing in drafting and finalizing the AANZFTA transposed PSR transposition.

## III. CONSULTANT'S SCOPE OF WORK AND ACTIVITIES

6. The consultant will draft the AANZFTA PSR transposition from HS 2017 to HS 2022, including the concordance table which would also include information such as the corresponding product description and the applicable origin criteria. The initial draft will be submitted to the Parties, through the ASEC, for review and consideration, including revisions of the draft AANZFTA PSR based on the inputs received.
7. The consultant will design and facilitate 5-day Joint Consultation to be held virtually to discuss and review the proposed transposed PSR and possible workplan to implement the transposed PSR. This will include development of agenda, workshop materials, and coordination with speakers and the ASEAN Secretariat for workshop delivery arrangement. The consultant will also be the resource person regarding the transposition exercise during the 5-day virtual consultation. The Joint Consultation Workshop will also provide a venue for the Sub-Committee on Rules of Origin (SC-ROO) and relevant agencies representatives to review and discuss the transposition of PSR.
8. The consultant will prepare Joint Consultation Report highlighting key outputs from the Joint Consultation, including issues for considerations by AANZFTA SCROO, recommendations of the transposed PSRs in HS 2022 and a work plan to implement the transposed PSR.
9. In conducting the Project, the following activities will be carried out by the selected consultant:
  - a. **Activity 1: Submission of the Initial Draft of AANZFTA PSR Transposition**
    - The hired consultant will draft the AANZFTA PSRs transposition from HS 2017 to HS 2022, covering (a) draft of the transposed AANZFTA PSR; (b) concordance table which would also include information such as the corresponding product description, the applicable origin criteria and comments where necessary.
    - The initial draft transposed PSR will be circulated to all Parties, through the ASEC, for consideration.

- b. **Activity 2: Holding a Joint Consultation**

This activity comprises a 5-day virtual consultation for participants from relevant agencies and SCROO representatives from each ASEAN Member States, Australia, New Zealand, and the ASEC. The consultant will design the overall program of the 5-day

Joint Consultation, including development of agenda, documents to be discussed during the Joint Consultation by the participants, and the Joint Consultation Report. The workshop design, documents for workshop and Joint Consultation Report will be circulated to all Parties, through the ASEC, for consideration

**c. Activity 3: Submission of the Final Draft of AANZFTA PSR Transposition**

The final draft of the transposed AANZFTA PSR and its implementation workplan would incorporate comments, corrections, and recommendations from output of discussions at the Joint Consultation and further comments from the ASEAN Member States, Australia, New Zealand, and the ASEC.

10. The following are detailed activities and time frames of the Project:

No	Indicative Timeline	Activities
1	November 2022	Prepare an inception report for consideration by AANZFTA SCROO. The Consultant is expected to incorporate the comments and inputs from AANZFTA SCROO for finalisation before proceeding to the next steps.
3	15 December 2022	Submission of an initial draft of Transposed PSR and its concordance table, to AANZFTA SCROO, through the ASEAN Secretariat
4	December 2022 – January 2023	Consideration of draft Transposed PSR by all AANZFTA Parties. Consultant to incorporate comments from AANZFTA Parties to revise the draft Transposed PSR.
5	January/ February 2023	Submission of revised draft Transposed PSR for discussion at the Joint Consultation
6	January 2023	Submission of the Agenda for the Joint Consultation
7	February 2023	Joint Consultation Workshop
8	March 2023	Submission of (i) draft Joint Consultation Report, including issues for considerations by AANZFTA SCROO, recommendations of the transposed PSRs in HS 2022 and a work plan to implement the transposed PSR; (ii) final draft transposed AANZFTA PSR from HS 2017 to HS 2022 The documents are to be considered and agreed by the AANZFTA SCROO

11. The ASEAN Secretariat will coordinate the nomination of participants for the Joint Consultation Workshop with AANZFTA SCROO.

12. The consultants would be expected to complete the scope of work and activities with maximum 25 input days.

#### IV. EXPECTED DELIVERABLES

13. The main output documents of this project will be, but not limited to:

- a. **Inception report**, detailing the approaches and methodologies as well as workplan to carry out the activities.;
- b. **Draft Transposed PSR for AANZFTA ROO**, including concordance table which includes corresponding product description and the applicable origin criteria.;
- c. **Joint Consultation Workshop**: The workshop would provide a venue for the SC-ROO and relevant agencies representatives to review the proposed transposed PSR:
  - i. Design and facilitate of five-days virtual joint consultation workshop.;
  - ii. Agenda, workshop documents/materials and written report following the Joint Consultation Workshop setting out the outcome of the Consultation, issues, recommendations and implementation plan.;
- d. **Revised Transposed PSR for AANZFTA ROO**, including concordance table, for consideration and approval by AANZFTA SCROO.;

#### 2.2 QUALIFICATIONS

---

##### CONSULTANT'S QUALIFICATIONS

#	Qualification	Weight
1	Proven professional experience in the following aspects: <ol style="list-style-type: none"><li>a. A demonstrated high level of expertise in Rules of Origin and have extensive experience with the HS and its transposition, including demonstrating qualification in helping in compliance with rules of origin both nationally and internationally.</li><li>b. A demonstrated ability and experience in effectively facilitating group discussions and engaging positively and productively with various stakeholders, including government officials.;</li><li>c. A minimum of 10 years of experience working on ROO and the ROO implementation of regional agreements.;</li><li>d. Facilitation and writing.;</li><li>e. Experience in government service or consulting work in ASEAN/AANZFTA.</li></ol>	40%
2	Appropriateness of proposed concept and work plan, including detail content and clear deliverables	30%
3	Qualification of proposed team members	30%

### **3 RFP REQUIREMENTS**

---

#### **3.1 PROPOSAL SUBMISSION INSTRUCTIONS**

---

- a) Consultant must ensure that both Technical & Financial Proposals are received via email at the following address before the tender closing date **30 September 2022**

External Economic Relations Division  
ASEAN Economic Community Department  
The ASEAN Secretariat  
Jakarta 12110, Indonesia  
Email: [ecwp@asean.org](mailto:ecwp@asean.org)

- b) All proposals must be submitted in English.  
c) Consultant should indicate the Title of the Tender at the subject of the email.  
d) The Technical and Finance Proposals must be submitted in two separate documents.  
e) Consultant must not include any financial/cost data in the Technical Proposal, but only in the Financial Proposal.  
f) The proposal should be concisely presented and structured, and should explain in detail the Consultant's availability, experience and resources to provide the requested services.  
g) Proposals that are incomplete or do not address the required criteria may not be considered in the review process.

#### **3.2 RFP TERMS & CONDITIONS**

---

##### **3.2.1 3.3.1 Bid Expiration Date**

---

Received proposals shall be valid until **30 November 2022**

##### **3.2.2 Implementation/Delivery Schedule**

---

- a. Contract award will be decided by the Selection Committee comprised of Co-Chairs of the AANZFTA Sub-Committee on Rules of Origin (SC-ROO).  
b. Terms and reference of the contract will be negotiated by the ASEAN Secretariat.  
c. In carrying out his/her assignment, the consultant or consultant team will work closely with the ASEAN Secretariat and reporting to the AANZFTA SC-ROO through the ASEAN Secretariat.

d. The timeline for hiring and initial activities of the consultant will be as follows:

<b>Action</b>	<b>Deliverables</b>	<b>Indicative Timeline</b>
Contracting		October 2022
Submission of draft output:		
Submission of Inception Report	Inception report	November 2021
Development and submission of initial draft of Transposed PSR and its concordance table, to AANZFTA SCROO through the ASEAN Secretariat	Draft Transposed PSR for AANZFTA ROO, and its concordance table  Revised draft Transposed PSR, incorporating inputs from AANZFTA Parties and ASEAN Secretariat to be presented at the Joint Consultation Workshop.	December 2022  January 2023
Virtual Joint Consultation Workshop on Transposition of PSR for AANZFTA ROO	<ul style="list-style-type: none"> <li>• Agenda for the Joint Consultation</li> <li>• Documents for discussion at the Joint Consultation</li> <li>• Workshop Facilitation</li> </ul>	January 2023  February 2023
Submission of Joint Consultation Workshop and Revised Draft Transposed PSR for consideration and approval by SC-ROO	<ul style="list-style-type: none"> <li>• Report of the Joint Consultation Report setting out the outcome of the Consultation, issues, recommendations and implementation plan.</li> <li>• Revised draft Transposed PSR, incorporating inputs from AANZFTA Parties and output of discussion during the Joint Consultation for consideration and approval by SCROO.</li> </ul>	March 2023



## **4 RESPONSE FORMAT (PROPOSAL FORMAT)**

---

In conformance to the ASEAN Secretariat's Financial Rules and Administrative Procedures (AFARP), the Consultant shall submit the applications in **two** separate documents: Technical Proposal and Financial Proposal.

### **4.1 TECHNICAL PROPOSAL**

---

The technical component should contain the following information:

- a. A brief discussion on how the Consultant will work toward achieving the project's objectives; including but not limited to methodology to undertake the assignment, list of possible reference materials and a work plan specifying the activities to be undertaken (including draft agenda, meetings, consultation), an outline of the reports to be delivered, and schedule of activities.
- b. A brief summary of the prospective Consultant's expertise and knowledge relevant to the project (please provide links to the publications, if available, or enclose selected publications in soft copy in the application). A brief summary on the consultant's or firm's past experience in undertaking similar work and brief summary of projects undertaken. Names and curriculum vitae of each associate, subcontractor, personnel or employee who will be engaged in the performance of services.
- c. Complete the attached Appendix 1 and 1a - Company General Information and List of Clients; and
- d. Other information to substantiate the capacity of applicants to undertake the project.

### **4.2 FINANCIAL PROPOSAL**

---

Please submit the financial proposal which shall include detailed cost estimates including a summary sheet indicating the unit prices; payments schedule, following Appendix 2 to this RfP.

The financial component should specify all direct and indirect costs for undertaking the project, including but not limited to:

- Professional services fee for completing all deliverables in unit cost and the number of hours/days;
- Miscellaneous charges, if applicable.

The cost of travels to support the proposed work program, as may be required and arranged by the ASEAN Secretariat, shall be borne by the Project Fund and based on actual costs.

## Appendix 1

### Company General Information

*(Only required for consulting firms, to be submitted as part of the **Technical Proposal**)*

Company's Legal Name:			
Division or Subsidiary (if applicable):			
Company Address:			
City:			
Province / State:			
Country:			
Postal Code:			
Telephone:			
Business Name Registration:			
Tax Registration Number:			
Valid Business Permit:			
Company Contact:		Telephone no.:	
Title / Position:		Fax no.:	
E-Mail:			
Indicate number of years involved in similar business			
Are you a subsidiary of a financial institution? *If Yes, Please indicate your Holding Company			

**Appendix 1a.  
Customer Reference**

*To be submitted as part of the Technical Proposal*

Customer Details	
Company Name	
Company Address	
Telephone Number	
Fax Number	
Contact Name	
Project Title	

Customer Details	
Company Name	
Company Address	
Telephone Number	
Fax Number	
Contact Name	
Project Title	

Customer Details	
Company Name	
Company Address	
Telephone Number	
Fax Number	
Contact Name	
Project Title	

## APPENDIX 2

### Price and Payment Schedule

*To be submitted as part of the Financial Proposal*

#### A. PRICE

Unit: USD or AUD

No.	Description	Unit	Price (Total estimated cost)
1	<b>Professional Services</b>		
	- Input days for each expected output	(# of days)	
2	<b>Other expenses</b>		
	- Item 1		
	- Item 2		
<b>TOTAL</b>			

#### B. PROPOSED PAYMENT SCHEDULE