



වාණිජ දෙපාර්තමේන්තුව
வர்த்தக திணைக்களம்
DEPARTMENT OF COMMERCE

අංක 492, 2වන මහල, එල්.එච්.පී.ගොඩනැගිල්ල, ආර්.පී.ද.මෙල් මාවත, කොළඹ 03, ශ්‍රී ලංකාව
இல 492, 02 ஆம்மாடி, எஸ். எச். பி. கட்டிடம், ஆர்.ஏ.டி. மெல்மாவத்தை, கொழும்பு 03, இலங்கை
No. 492, 2nd Floor, L. H. P. Building, R. A. De Mel Mawatha, Colombo 03, Sri Lanka

Department of Commerce (DOC) Appeal Procedure

The Department of Commerce (DOC) has been practicing the Appeal Procedure as a practice for a long time. However, in compliance with the Article 4.1 of the WTO Trade Facilitation Agreement, which is "Right to Appeal or Review", the said procedure is more formalized and documented as follows;

The objective is to facilitate the traders by providing necessary information in order to make an appeal if they are affected by a decision made by the Department of Commerce.

1) Scope of the Appeal

An exporter has the right to appeal any decision taken by an officer of the Department of Commerce with respect to:

- i. Registration of a company
- ii. Eligibility of a product for tariff concessions
- iii. Issuance of a Certificate of Origin

2) The Procedure to Appeal

- i. Appeal to Assistant Director of Commerce (ADC)/Subject Officer

If an exporter is not satisfied with a decision given by an ADC on any of the matters under 1) above, he/she can seek to resolve the issue in discussion with the ADC. If the matter cannot be resolved at the ADC level, or the ADC is of the view that he/she is unable to take a decision on the facts and documents available, the matter should be submitted to the Head of the Division (HOD).

- ii. Appeal to Head of the Division (HOD)

The exporter has the right to formally submit his appeal to the HoD, and to discuss with the HoD on whether the matter can be resolved. The HoD may reaffirm the decision of the ADC, or where the HoD feels the representation of the exporter has merit, the HoD may provide an alternative decision in this regard.

iii. Appeal to Director General of Commerce

If the matter cannot be resolved at HoD level, or the HoD is of the view that he/she is unable to take a decision on the facts and documents available, the matter should be submitted to the Director General of Commerce for instructions/decision. The file to DGC should provide all relevant facts and information submitted by the exporter, and the observations of the HoD.

3) Documents Required

- i. A written request letter of Appeal by the Appellant addressed to Director General of Commerce
- ii. Supporting documents depending on the case

4) Filing and Documentation

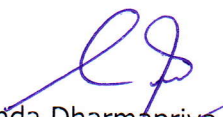
- i. The Assistant Director of Commerce issuing COO under a particular Trade Agreement of the Rules of Division is responsible to register the appeal, acknowledge receipt of the appeal and coordinate with the appellant until a decision is given.
- ii. The records of the appeal will be maintained in the Rules of Origin Division, in the company file.

5) Time period to respond an appeal

- i. Final decision on an appeal should be given within 3 working days of receiving the requested information.

6) Fees and charges involved

- ii. There are no fees and charges


Ananda Dharmapriya
Actg. Director General of Commerce
20.07.2021