

**IN THE CARIBBEAN COURT OF JUSTICE**  
**Original Jurisdiction**

**CCJ Application No DMOJ2022/001**

**Between**

**DCP SUCCESSORS LIMITED**

**Claimant**

**And**

**THE STATE OF JAMAICA**

**Defendant**

**NOTICE OF FILING OF ORIGINATING APPLICATION**  
(Rule 10.3 (2) of the CCJ (OJ) Rules 2021)

**TAKE NOTICE** that pursuant to the Order of the Court made on the 4 October 2022 granting the Claimant special leave to commence proceedings and to appear as a party to the proceedings, an originating application has been filed by the Claimant against the State of Jamaica on, 7 October 2022

The subject matter of this application relates to a claim brought by the Claimant pursuant to Articles 82(18), 83(2) and (19), and 84(7) of the Revised Treaty of Chaguaramas ('the RTC').

The Claimant seeks the following relief in their application:

- (1) A declaration that the Respondent's agents have breached Article 82 and paragraph 18 of schedule 111 of the Revised Treaty of Chaguaramas by failing to apply 40% Common External Tariff applicable to soap noodles imported into Jamaica from Non-CARICOM sources.
- (2) An order requiring the Defendant's Custom's officers to impose the 40% Common External Tariff applicable to soap unless the Council for Trade and Economic Development grants a suspension pursuant to Articles 83(2) or paragraph 19 of Schedule 111 of the Treaty.
- (3) A declaration that the Defendant through its Trade Administration has breached Article 84 of the Revised Treaty of Chaguaramas by unlawfully issuing Certificates of Origin to Jamaican soap producers in respect of soap products made from extra-regional soap noodles.
- (4) An order requiring the Respondent to cease issuing Certificates of Origin in respect of products made from extra-regional soap noodles unless the CARICOM Secretary General has issued a certificate pursuant to Article 84(7) of the Revised Treaty of Chaguaramas.

(5) Compensation for breaches of the provision in the Revised Treaty of Chaguaramas mentioned in 1 and 4 above.

**TAKE NOTICE ALSO** that a Member State or any person who wishes to intervene in the proceedings must file an application for leave to intervene within six (6) weeks of notification of the filing of the originating application pursuant to Rule 17.3(1)(a)(i)(ii) of the Caribbean Court of Justice (Original Jurisdiction) Rules, 2021.

Dated this 10<sup>th</sup> day of October 2022

**Deputy Registrar and Marshal (Ag)**  
Caribbean Court of Justice