

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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## Committee on Customs Valuation

### APPLICATION OF THE DECISION ON THE VALUATION OF CARRIER MEDIA BEARING SOFTWARE FOR DATA PROCESSING EQUIPMENT

1. The Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment provides that those Parties adopting the practice referred to in paragraph 2 of the Decision shall notify the Committee of the date of its application. GATT/AIR/2068 invited the Parties concerned to communicate this information to the secretariat.

2. This note reproduces information received, as of 31 October 1984, from Parties applying paragraph 2 of the Decision and also information communicated by other Parties concerning the treatment of computer software.

#### A. PARTIES APPLYING PARAGRAPH 2 OF THE DECISION

South Africa

Practice corresponds to that followed since 1 July 1983 when South Africa applied the Agreement.

#### B. INFORMATION COMMUNICATED BY OTHER PARTIES

Australia

Following the recent decision by the Australian Government on "Computer Hardware and Software, etc.", from 6 July 1984 computer software recorded on carrier media falling within tariff item 92.12 has been free of duty from all sources. Australia is therefore now giving effect to the substance of paragraph 2 of the Committee Decision. The normal valuation rules will apply to the split tariff treatment and as a result the carrier media will be dutiable and the residual (i.e. software data or instructions) will be free of duty.

United Kingdom on  
behalf of Hong Kong

Hong Kong's present policy is not to levy customs duties. Therefore, no laws, regulations or administrative procedures exist for valuing carrier media bearing software for data processing equipment.

3. Information on application of the Decision communicated by other Parties will be circulated as addenda to this document.