

GENERAL AGREEMENT ON

RESTRICTED

NTM(TG)/W/4

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TARIFFS AND TRADE

Special Distribution

Technical Group on Quantitative Restrictions
and other Non-Tariff Measures

PROCEDURES AGREED BY THE CONTRACTING PARTIES

Consolidated texts

This document sets out the procedures relevant to the work of the Technical Group as agreed by the CONTRACTING PARTIES since 1984. It is based on the reports of the Group on Quantitative Restrictions and other Non-Tariff Measures and the decisions of the CONTRACTING PARTIES.

The document is organised as follows:

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I. MANDATE OF THE TECHNICAL GROUP

The purpose of the Technical Group, open to all contracting parties, is to conduct the updating and analysis of documentation previously prepared by the Group on Quantitative Restrictions and Other Non-Tariff Measures in accordance with the timetable and procedures agreed by the CONTRACTING PARTIES in 1984 and 1985 (BISD, 31S, pages 227 and 228, BISD, 32S, pages 92 and 93).

The resulting documentation is available to other groups, including the relevant bodies established under the Ministerial Declaration on the Uruguay Round.

(BISD, 33S/54)

II. NOTIFICATIONS

A. Quantitative Restrictions

"Contracting parties should notify details of changes in the quantitative restrictions that they maintain as and when these changes occur and make a complete notification of their quantitative restrictions once every two years. Where requested, the secretariat should assist delegations of contracting parties to prepare these notifications, drawing, if necessary, upon information available in official published sources. These notifications should contain:

- (i) a full description of the products and tariff lines (or parts of tariff lines) affected together with the relevant heading or sub-heading in the customs tariff concerned and, in cases in which this is not based on the Customs Co-operation Council Nomenclature, the corresponding CCCN heading;
- (ii) a precise indication of the type of restriction;
- (iii) an indication of the grounds and GATT justification for the measures maintained, including the precise provisions which they cite as a justification (e.g., the relevant section of Article XVIII or sub-paragraph of Article XX or XXI)."

(BISD, 31S/222)

"Future notifications should give an assessment, to the extent possible, of the trade effects of the measures."

(BISD, 32S/93)

"The symbols contained in the Annex to the Group's (1985) Report should be used for future notifications to the Group and other relevant GATT bodies and, if governments consider that their measures cannot be classified by the use of a particular symbol, when making notifications these governments should provide a precise indication of the type of restriction used."

(BISD, 32S/92)

"Contracting parties should be invited to send complete notifications of the quantitative restrictions that they maintain by the end of April 1986, and at two yearly intervals thereafter."

(BISD, 32S/93)

"The Inventories of Non-Tariff Measures should continue to provide contracting parties with an opportunity to make reverse notifications of quantitative restrictions affecting their exports and the existing procedures relating to the inventories (e.g. in BISD, 27S/18) should be maintained."

(BISD, 31S/222)

B. Other non-tariff measures

"The existing notification procedures for up-dating the Inventory of Non-Tariff Measures (Industrial Products), as adopted by the CONTRACTING PARTIES in November 1979, should continue... With a view to improving the quality of information, contracting parties making notifications should provide:

- (i) an indication of the precise nature of the measure;
- (ii) where applicable, a full description of the products affected, including the corresponding CCCN heading;
- (iii) a statement on the effects of the measure;
- (iv) where appropriate, a reference to the relevant GATT provisions.

Contracting parties maintaining the measures should comment on each of these points."

(BISD, 31S/227-228 and BISD, 32S/93)

"Both the governments which have made notifications and governments maintaining the measures should be invited to provide comments designed to ensure that, where appropriate, notifications are deleted or suitably modified or supplemented."

(BISD, 32S/93)

III. PRODUCTS OF EXPORT-INTEREST TO DEVELOPING COUNTRIES

"The list of products of export-interest to developing countries [NTM/W/4/Rev.3] should remain open to amendments in the context of changing conditions in developing countries."

(BISD, 31S/222)

IV. MULTILATERAL REVIEWS

"Periodic multilateral reviews should be held of:

- (i) the accuracy and adequacy of the documentation;
- (ii) grounds on which measures are maintained and their conformity with the General Agreement."

(BISD, 31S/222-223 and 228)

"The first periodic review of the accuracy and adequacy of the documentation and the grounds and GATT conformity of measures called for by the CONTRACTING PARTIES [BISD, 31S/222-223 and 228] should be held in October 1986. This review should take place at two yearly intervals thereafter."

(BISD, 32S/94)

"The basic data, updated to take into account new notifications from contracting parties and a secretariat analysis of this data organized into summary tables as requested would provide a basis for the review as agreed by the CONTRACTING PARTIES."

(BISD, 32S/104)

ANNEX

Symbols for use in documentation on quantitative restrictions:

- P Prohibition
- CP Prohibition except under defined conditions
- GQ Global quota
- GQC Global quota allocated by country
- BQ Bilateral quota (i.e. anything less than a global quota)
- AL Automatic licensing
- NAL Non-automatic licensing
- STR Quantitative restriction made effective through state-trading operations
- MXR Mixing regulation
- MPR Minimum price, triggering a quantitative restriction
- VER "Voluntary" export restraint
- S Seasonal restriction) suffixes to be added to the
- X Export restriction) the above symbols

(BISD, 32S/108)