

GENERAL AGREEMENT ON TARIFFS AND TRADE

L/4205
17 July 1975
Limited Distribution

TURKEY - STAMP DUTY

Decision of 15 July 1975¹

Considering that the CONTRACTING PARTIES, by decisions dated 20 July 1963², 11 November 1967³, 24 August 1969⁴, 30 January 1973⁵, and 3 July 1973⁶ waived, subject to specified terms and conditions, the provisions of paragraph 1 of Article II of the General Agreement to the extent necessary to allow the Government of Turkey to maintain as a temporary measure, the Stamp Duty not exceeding a specified ad valorem rate, on imports into Turkey of products included in Schedule XXXVII, until 30 June 1975;

Considering that the Government of Turkey has requested an extension of the waiver to permit the maintenance of the Stamp Duty until the end of the Third Five-Year Development Plan on 31 December 1977;

Considering that the Government of Turkey has applied, as from 1 January 1973, the same rates of Stamp Duty to imports from the territories of all contracting parties, and has undertaken to do so in the future;

Taking note of the view of the International Monetary Fund that the Stamp Duty constitutes an important source of revenue, and the need to reduce the Government's reliance on Central Bank borrowing, a temporary maintenance of the Stamp Duty could be warranted, pending its replacement by other fiscal measures;

Taking note of the statement made by the Government of Turkey that its objective was to achieve gradually complete liberalization of trade;

Taking note that the Government of Turkey had assured the contracting parties that internal procedures were under way to introduce a fiscal reform which would enable it to eliminate the Stamp Duty at the end of its Third Five-Year Development Plan;

¹The decision was adopted by postal ballot. There were forty-three votes in favour and none against.

²BISD 12S/55

³BISD 15S/90

⁴BISD 17S/28

⁵BISD 20S/31

⁶BISD 20S/32

The CONTRACTING PARTIES, acting pursuant to the provisions of paragraph 5 of Article XXV of the General Agreement and in accordance with the procedures adopted by them on 1 November 1956,

Decide to waive, subject to the terms and conditions specified hereunder, the provisions of paragraph 1 of Article II of the General Agreement to the extent necessary to allow the Government of Turkey to maintain, as a temporary measure, on imports into Turkey of products included in Schedule XXXVII a Stamp Duty.

Terms and conditions

1. The rate of the Stamp Duty shall not exceed 10 per cent of the value of the imported goods as assessed for the imposition of the customs duty, and shall be lowered progressively, as circumstances permit.
2. The continued application of the Stamp Duty shall be accompanied by commensurate efforts by the Government of Turkey to remove progressively quantitative restrictions on imports.
3. The Government of Turkey shall report on the progress made toward substituting other fiscal measures for the Stamp Duty in the context of the 1977 balance-of-payments consultation with Turkey.
4. The Decision shall be valid until the removal of the Stamp Duty or until 31 December 1977, whichever date is earlier.
5. If any contracting party considers that the effect of the Stamp Duty maintained under this Decision is unduly restrictive and that damage to its trade is caused or threatened thereby, it may make representations to the Government of Turkey, which shall accord sympathetic consideration to such representations and afford that contracting party adequate opportunity for consultation.
6. If such consultation does not lead to satisfactory results the contracting party concerned may request the CONTRACTING PARTIES to invite Turkey to enter into consultations with them. If, as a result of these consultations with the CONTRACTING PARTIES, no agreement is reached and if they determine that the effect of the Stamp Duty is unduly restrictive and that serious damage to the trade of the contracting party initiating the procedure is threatened or caused thereby, the latter will be released from its obligations to apply to the trade of Turkey concessions initially negotiated with Turkey to the extent that the CONTRACTING PARTIES determine to be appropriate in the circumstances.