

URGENT ACTION

GENERAL AGREEMENT
ON TARIFFS AND
TRADE

ACCORD GENERAL SUR
LES TARIFS DOUANIERS
ET LE COMMERCE

RESTRICTED
LIMITED C
GATT/CP/39
7 October, 1949.

ORIGINAL: ENGLISH

CONTRACTING PARTIES

DISCRIMINATORY ADMINISTRATION OF RESTRICTIONS
TO SAFEGUARD THE BALANCE OF PAYMENTS

Questionnaire to Contracting Parties (1)

Attached is a questionnaire designed to obtain the necessary information to enable the preparation of the report required under Article XIV (1) (g) of the GATT on action being taken by contracting parties under paragraphs 1 (b) and 1 (c) of Article XIV or under Annex J.

Replies to the questionnaire should be submitted to the Executive Secretary of ICITO as soon as possible but in no circumstances later than January 1, 1950, and should as far as possible refer to the import restrictions which are expected to be in operation on that date. Each contracting party should also forward to the Executive Secretary by November 15, 1949, copies of the trade and payments agreements, laws, regulations, decrees, etc. which have a bearing on the operation of its import restrictions and should supplement its original submission thereafter by any necessary amendments, until the Fourth Session of the Contracting Parties.

Such information as a contracting party submits in response to this questionnaire and requests be kept confidential, shall be so treated provided, of course, that such information is not of a character required to be made public under various provisions of the GATT, such as those referred to in Article X.

It is hoped to distribute a draft of the report early in February for consideration during the Fourth Session commencing on 23rd February 1950.

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- (1) As the object of the report is to present a comprehensive study of discriminatory import restrictions in existence, it would be appreciated if the acceding governments could also forward information on their import restrictions along the lines of the annexed questionnaire.

QUESTIONNAIRE

1. Do you restrict the importation of merchandise in order to safeguard your balance of payments under the provisions of Article XII?

Note: In replying to this question, as well as to others indicated below, contracting parties should bear in mind that import restrictions include those made effective either directly or indirectly through state trading operations or otherwise. The expression "state-trading operations" is meant to include the operation of enterprises, wherever located, to which the contracting party has granted, formally or in effect, exclusive or special privileges. The answer to this question, as well as to the others indicated below, should also take into account restrictions operated by means of exchange controls if those controls are used as a substitute for, or a supplement to import restrictions.

2. If so, describe the general system of import restrictions to safeguard your balance of payments which is now in effect.

Note: This description should be sufficiently detailed to give an accurate general picture of the nature of the controls used and the criteria by which the use of such controls is governed. Among other things, the description should indicate the specific techniques used, e.g., global quotas, quotas allocated by specific countries or groups of countries, or other techniques. Where your system of import controls differs for different classes of commodities or distinguishes among groups of countries, the nature of such differences and of such distinctions should be

adequately described. Where your description indicates deviations from the rule of non-discrimination, indicate whether such deviation is pursuant to Article XIV 1 (b) or 1 (c) or to Annex J.

3. Describe the main changes introduced since January 1, 1948 in the system outlined in your reply to question 2 above, particularly those which have had the effects of either intensifying or alleviating the discriminatory effects of your restrictions.
4. For an adequate number of individual commodities representing a cross section of products subject to import restrictions describe in detail the provisions, policies, and practices followed with respect to import restrictions in each commodity. Supplement such description with specific statistical and other information designed to describe the effects which existing import restrictions have had upon the distribution among sources of supply from which such imports are obtainable.

Note: The commodities selected should be of sufficient number to provide an adequate cross section of commodities affected by existing import restrictions. It is believed that such illustrations would probably not be representative unless in total they represented at least 30 percent of the import trade of the reporting country and covered at least 10 commodities. In determining the effects of such restrictions upon sources of supply, comparable data on prices existing in alternative sources would be extremely helpful.

5. Describe the effects which you believe discriminatory import restrictions imposed by you or by other countries, have had upon the volume and pattern of your export trade.