

ACCORD GENERAL SUR LES TARIFS  
DOUANIERS ET LE COMMERCE

RESTRICTED  
LIMITED  
GATT/CP.5/A/2  
3 November 1950  
ORIGINAL: ENGLISH

CONTRACTING PARTIES  
Fifth Session

WORKING PARTY A ON ARTICLE XVIII

A Relevant Documents to be Examined by the Working Party

	<u>Notification</u>	<u>Supporting Statement</u>	<u>Text of Laws, etc.</u>
Denmark	CP.3/40/Add.3	CP/77	CP./3/40/Add.3/Am.ex CP/77
Haiti	CP.3/40	CP/60 CP/60/Add.1	CP.3/40 CP/60/Add.1
Italy	CP.3/40/Add.1	CP/49/Add.1	CP/49

Note and Communications on Objections

GATT/CP/80 and Add 1-3

Also the Summary Records of the first and second plenary meetings of the Fifth Session.

B Proposal by the Chairman for Order of Discussion

1. Determination, in the light of the discussion at the meeting of the CONTRACTING PARTIES, whether the measure notified by Haiti is in conflict with any provisions of the Agreement and the consequent need for examination under Article XVIII.

2. The eligibility of:

- (i) the measure notified by Haiti (if necessary),
- (ii) the measures notified by Denmark, and
- (iii) the measures notified by Italy,

for consideration under Article XVIII in the light of the following criteria:

- (a) whether notification was given in accordance with paragraph 11 (with reference to the Ancey Protocol of Terms of Accession and relevant resolutions);
- (b) whether the measure does not relate to a product in respect of which the contracting party has assumed an obligation under Article II of the Agreement (in the case of Italy, with reference to the relevant resolution of the Third Session);
- (c) whether the measure in force on the relevant date was a non-discriminatory protective measure;
- (d) whether the measure has been imposed for the establishment, development, or reconstruction of a particular industry or branch of agriculture.

3. Examination, according to the provisions of paragraph 12, of the measures under the following headings:
  - (a) applicability of paragraph 7; and, if not applicable,
  - (b) whether any objection has been lodged by a materially affected contracting party, and if so, whether the conditions set out in paragraph 8(b)(ii) are fulfilled;
  - (c) the applicability of paragraph 5 to certain items notified by Italy.
4. Recommendations to the Contracting Parties concerning the maintenance of the measures and any relevant limitations.