RESTRICTED
L/228
20 September 1954
Limited Distribution

GENERAL AGREEMENT ON TARIFFS AND TRADE

VALUATION FOR CUSTOMS PURPOSES

Questionnaire for the Ninth Session

In adopting the report of a working party on valuation (G/57) at the Eighth Session, the CONTRACTING PARTIES instructed the Intersessional Committee to consider what aspects of the question should be studied by the CONTRACTING PARTIES and to establish a programme of work. When this question was considered by the Committee at its meeting on 3 August (IC/SR.17), it was thought desirable that the CONTRACTING PARTIES should resume their examination of valuation methods in connection with the review of Article VII. The Committee instructed the Executive Secretary to prepare and circulate a questionnaire to supplement the information submitted in 1953 so as to ensure that at the Ninth Session the CONTRACTING PARTIES will have full and comprehensive statements on the valuation methods employed.

Accordingly, the attached questionnaire has been prepared in order to obtain complete and comparable data on the methods of determining value for customs purposes. In order that this information may be available to the CONTRACTING PARTIES during the review of the Agreement it will be appreciated if replies to this questionnaire are submitted to the Executive Secretary in three copies not later than 10 November.

VALUATION QUESTIONNAIRE

(September 1954)

1. Do you have any administrative or legal provisions which permit valuation for customs purposes to be based on arbitrary or fictitious values, in the sense that such values are not related to the value of the imported merchandise in question or of like imported merchandise? If so, give particulars of any such provisions, of the class or nature of the importations to which they are applied, and of the method by which the values used are determined.

2. Do you have any administrative or legal provisions which permit valuation for customs purposes to be based on the values of comparable domestic products? If so, give particulars of any such provisions, of the class or nature of the importations to which they are applied, and of the method by which the values used are determined.

3. Is valuation, apart from the cases mentioned in 1 and 2, based on a definition of value which seeks to establish as a standard the actual value of the imported merchandise on which duty is to be assessed or of like imported merchandise? If so, indicate what provision is made for establishing this standard and furnish a copy of the legal provision containing the definition.

4. What is the time which is accepted in your legislation as the time of sale, or offer for sale, for valuation purposes?

5. What is the place accepted in your legislation as the place of sale, or offer for sale, for valuation purposes?

6. State whether, and to what extent, valuations are based on:

   (a) the internal price of the goods in the market of the exporting country;

   (b) the export price in the exporting country: or

   (c) the landed price in the importing country.

7. Where the price depends upon quantity, is the price used for valuation uniformly that which relates to quantities comparable to the quantity to be valued? If not, please state what quantity basis is used.

8. To what extent, and subject to what conditions, is the price at which the merchandise has been sold or is offered for sale,(i.e. the invoice value) accepted as the basis for valuation? Where invoice value is not so accepted as a basis (because, for example, the transaction does not take place under fully competitive conditions):

   (a) do you use, uniformly or as appropriate (state which), any of the following bases -

   - the invoice price subject to corrections,

   - the sale price of the imported product on the importing market, adjusted to take account of expenses and profits incurred after importation,

   - the cost of production of the imported product?

   (b) if not, how do you assess the value? (Give particulars of any such methods).

9. If your administrative or legal regulations provide for the use of alternative methods of valuation, state to what extent the customs officer or appraiser is free to choose between such alternatives, or is obliged to adopt that which gives the higher value, or is obliged to make use of them in accordance with prescribed rules.

10. Do you exclude from the value of imported goods the amount of internal taxes from which the imported product has been exempted in the exporting country?

    Do you limit this exclusion to specified taxes, (such as purchase tax, etc.), or do you grant it to any internal tax or charge from which exemption has in fact been granted by the exporting country?

11. What is the system adopted by your Administration for the conversion of foreign currencies for valuation purposes?

    Do you apply the official rate of exchange based on the par value recognized by the International Monetary Fund, or market rates?

    If your currency has no par value recognized by the Fund, or if various rates are applied in your country for the purchase of foreign exchange, what rate do you apply for valuation purposes?

    If the product is coming from a country applying multiple rates of exchange, do you always apply the official rate of exchange of that country as a basis for valuation, or do you apply different rates in certain cases, or do you apply other corrections?

12. What charges on imports, other than ordinary customs duties, are assessed on the value of imported goods? Do you apply the same method of valuation for the levy of such charges as for the levy of customs duties?

    If so, in which cases? If not, what method does your Administration apply?

    Do you apply the same methods of valuation in the case of internal taxes or equivalent charges levied on imported goods?

13. Has your export trade met with serious difficulties resulting from methods or practices adopted by other contracting parties for determining the value of imported products?