

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

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URUGUAYAN IMPORT SURCHARGES

The delegation of Uruguay has requested that the Council give consideration to the granting of a waiver to enable Uruguay to apply, to items included in Schedule XXXI, the surcharges imposed by the Decree of 29 September 1960. Attached hereto are:

- (a) the text of the Decree of 29 September 1960, and
- (b) a list showing those items included in Schedule XXXI which are affected by the surcharge, and the rates of the surcharge imposed.

DECREE OF 29 SEPTEMBER 1960

MINISTRY OF FINANCE - MINISTRY OF INDUSTRY AND LABOUR
MINISTRY OF AGRICULTURE AND LIVESTOCK - MINISTRY OF HEALTH
(Montevideo, 29 September 1960)

HAVING REGARD to the Act of 17 December 1959;

CONSIDERING that the said Act lays down the general principle of unrestricted importation, so that the remaining import prohibitions are in the nature of exceptions;

CONSIDERING that it is desirable to simplify the various existing surcharges and deposit requirements, in order to make it ultimately possible to incorporate the protection of national industry, and any limitations of imports which that protection may imply into the customs tariff system;

CONSIDERING likewise that an adequate and reasonable protection must be provided to the national industry without ignoring consumer interests and the inestimable advantages of effective competition;

THE NATIONAL COUNCIL OF GOVERNMENT DECREES AS FOLLOWS:

ARTICLE 1 - The importation of all goods, articles, products and other items is hereby declared to be unrestricted, without exceptions, in the manner set forth in the attached schedules.

The importation into the country of goods, articles, products and other items not expressly mentioned in these schedules shall be subject to a deposit of 100 per cent, and to a surcharge of 150 per cent, of the CIF price of the imported items. Goods subject to a surcharge of 150 per cent shall likewise in all cases be subject to a deposit of 100 per cent prior to importation.

ARTICLE 2 - The surcharges and deposits shall be calculated on CIF import prices, with the following exceptions: (1) for those goods, articles, products and other items for which average CIF prices are specified the calculation shall be made on the basis of those values; and (2) where it is established that the import prices have declined in comparison with the international market prices, an average of the normal price quotations in the export markets shall be used for purposes of the application of this provision.

ARTICLE 3 - The surcharges and deposits herein established shall be paid at the time of the submission of the import notice. The deposits shall be kept for a minimum period of nine months with the following exceptions: motor-cars, chassis for lorries and buses whose weight (chassis and cabin) according to the manufacturer's catalogue is less than two tons; unspecified vehicles and unspecified goods, for which the minimum period shall be twelve months. These deposits shall be returned on production of the Customs clearance certificate which the competent Inspection Service of the General Customs Directorate shall give the importer within seventy-two hours of the clearing of the goods.

ARTICLE 4 - The surcharges and deposits applied by virtue of this Decree provisions to imports of goods, products, articles and other items shall in all cases be calculated on the basis of CIF prices or of duly established CIF average prices; the items in question shall be deemed to be new even if imported into the country as used or reconditioned goods.

ARTICLE 5 - State bodies, autonomus entities, decentralized services and the governments of territorial departments shall be exempt from deposit requirements, provided that the goods imported are intended for their own use.

ARTICLE 6 - The Bank of the Republic of Uruguay shall not apply the surcharges herein established to the importation of the industrial machinery mentioned in schedule No. 11 if, by a decision of the Ministry of Industry, taken on grounds stated and with the technical advice of the Directorate of Industries, it is established that the machinery in question is not manufactured in the country. For that purpose, the Ministry of Industry shall issue a certificate which must be attached by the importer to his import notice.

ARTICLE 7 - The goods, articles, products and other items included in schedules 1, 2, 13 and 14 shall be exempt from all surcharges and deposit requirements herein established if the Executive, in consultation with the competent Ministry, so decides on the grounds that the importation of the items concerned is a matter of public necessity or utility.

ARTICLE 8 - Article 13 of the Decree of 17 February 1960, relating to the determination of products considered non-essential, of a luxury character or competitive with national products, is hereby amended to read as follows:

"Article 13 - Any person seeking to have a product declared competitive with a national product, or to secure the modification or withdrawal of such a declaration, shall make application to the Ministry of Finance, in accordance with the following procedure:

- "A) Upon the submission of the application, an extract therefrom shall be ordered to be published in the Official Gazette at the expense of the interested party for a period of five days and shall, in addition, be individually notified to the National Chamber of Commerce and the Chamber of Industry.
- "B) Any trade union organization, industrial or commercial group or private individual that consider themselves affected by the application shall have a time-limit of ten days, counted from the day following the last publication in the Official Gazette, in which to submit their observations.
- "C) Should the said time-limit elapse without any observations being submitted, the Advisory Committee shall recommend the acceptance or rejection of the application and suggest if appropriate, the treatment to be applied for the purpose of the importation of the goods, articles, products or other items in question.

- "D) If an objection is made, a tribunal shall be constituted consisting of one expert appointed by each of the parties and a chairman delegated by the Advisory Committee.

If observations are submitted by more than one person or group, an expert shall be chosen by lot from among those nominated by the various interested parties.

In all cases, the names of the expert or experts shall be submitted together with the objections.

- "E) Objections shall be notified to the applicant who shall thereupon designate the expert who will represent him in the tribunal.
- "F) If the experts are not appointed by the parties within the time-limits specified in sub-paragraph D and E above, they shall be appointed by the Advisory Committee at the expense of the parties concerned.
- "G) The tribunal shall consider the point or points at issue and report, within a time-limit of ten days, to the Advisory Committee, which shall give a ruling within five days, recommending to the Executive the acceptance or rejection of the application. In the event of acceptance, the Committee shall proceed in the manner laid down in sub-paragraph C in fine.
- "H) In the absence of a report from the tribunal, the Advisory Committee, after taking such advice as it considers appropriate, shall give a ruling recommending the treatment applicable to the goods in question.
- "I) The submission of an application shall automatically suspend the receipt of import notices in respect of the goods involved, for so long as the application is under consideration.

ARTICLE 9 - The goods, articles, products and effects imported in vessels flying the Uruguayan flag shall be exempted from that part of the deposit and surcharge which represents freight.

ARTICLE 10 - Articles 9, 10 and 11 of the Decree of 17 February 1960 on the determination of products considered non-essential, of a luxury character or competitive with national products, and any existing provisions inconsistent with the present Decree, are hereby repealed.

ARTICLE 11 - The provisions of this Decree shall apply to all import notices dated after 15 September 1960.

ARTICLE 12 - This Decree shall be brought to the notice of the Legislative Assembly.

ART. VII 13 - This Decree shall be communicated, etc.

On behalf of the Council:

(signed) Fernando Nardone
President

Juán Eduardo Azzini

Angel Maria Gianola

Carlos V. Puig

Carlos Stajano

Manuel Sanchez Morales
Secretary

LIST OF ITEMS INCLUDED IN SCHEDULE XXXI - URUGUAY
ON WHICH SURCHARGES ARE IMPOSED

LISTE DES POSITIONS DE LA LISTE XXXI - URUGUAY
QUI FONT L'OBJET DE SURTAXES

(The figures shown in brackets beside the rate of surcharge indicate the value on which the surcharge is assessed.)

(Les chiffres entre parenthèses, donnés en regard du taux de la surtaxe, indiquent la valeur sur laquelle est calculée celle-ci.)

<u>Tariff item number</u>	<u>Rate of surcharge</u>
<u>Position du tarif</u>	<u>Taux de la surtaxe</u>
II - 54 - 243	40% (US\$0.75 per kg.)
II - 56 - 258	40%
II - 57 - 261	75%
II - 58 - 262	40%
II - 58 - 263	40%
II - 58 - ex 267	40%
II - 58 - ex 268	40%
II - 59 - 274	40%
II - 62 - 291	75%
II - 65 - 297	40% (US\$1 per kg.)
II - 66 - 307	75% (US\$21 per kg.)
II - 67 - 312	150%
II - 67 - 313	150%
II - 80 - 354	150%
II - 82 - 372	75%
II - 88 - 444	75%
II - 89 - ex 467	150%
II - 95 - 544	75%
III -105 ex 591	150% (US\$0.90 per litre)
IV -120 - ex 633	150% (US\$0.70 per kg.)
IV -141 - ex 711	150%

<u>Tariff item number</u> <u>Position du tarif</u>	<u>Rate of surcharge</u> <u>Taux de la surtaxe</u>
IV - 143 - ex 716	150%
IV - 144 - 718	150%
IV - 147 - ex 726	150%
IV - 152 - 748	150%
IV - 152 - 749	150%
IV - 153 - 761)	
762)	150% (US\$0.60 per litre)
763)	
IV - 17 - ex 868	40%
V - 183 - ex 902	150%
VI - 240 - ex 1182	75% (US\$45 per ton/la tonne)
VI - 277 - 1527	40%
VI - 284 - 1560	150%
VI - 298 1587	150%
ex 1588	75%
VI - 315 2081	75%
VI - 332 - 2242	75%
M.P. 429	
VIII - 375 - 2443	75%
IX - 393 - 2519	75% (US\$225 per m ³)
IX - 412 - ex 2905	150%
X - 416 2953	40%
X - 419 2972	75%
2982	75%
X - 423 - 3020. 1	75%
XI - 430 42)	
43)	
44)	
45)	150%
46)	
47)	
48)	
49)	

<u>Tariff item number</u>	<u>Position du tarif</u>	<u>Rate of surcharge</u>	<u>Taux de la surtaxe</u>
XI - 450	50	150%	
	51		
	52		
XI - 455	ex 63	150%	
	ex 64		
XI - 456	ex 65	150%	
XI - 610	84	150%	
XII - 610	86	150%	
XIII - 665	107	150%	
	108	150%	
	109	150%	
	110	150%	
XIII - 665	ex 117	150%	
XIII - 667	124 - 125	150%	
XIII - 679	230	150%	
XV - 701	7	Free for products of more than 38 mm in thickness/ Exonération pour les produits de plus de 38 mm d'épaisseur 40% for products up to 38 mm in thickness/ 40% pour les produits jusqu'à 38 mm d'épaisseur	
XV - 702	10	40%	
XV - 702	ex 22	40%	
XV - 702	ex 23	40%	
XV - ex 734	191	150%) see decree of/ 100%) cf. décret du 29.9.1960	
	192		
	193		
XV - 768	ex 587	75%	
	538	75% (US\$2.99 each/la pièce)	
XV - 804	814	150%	
XV - 807	846	40%	

<u>Tariff item number</u>	<u>Position du tarif</u>	<u>Rate of surcharge</u>	<u>Taux de la surtaxe</u>
XVI - 823	38-2-(1)	75% (US\$5.50 each/la pièce)	
	(ii)	free/exonération) see decree of/ 40% } cf. décret du 75% } 29.9.1960	
	39-2-(1)	75% (US\$5.50 per kg.)	
	(ii)	free/exonération) see decree of/ 40% } cf. décret du 75% } 29.9.1960	
XVI - 825	61	Free for sails of more than 3.6 m in length/ Exonération pour les ailes de plus de 3,6 m de long	
		75% for sails of up to 3.6 m in length/ 75% pour les ailes jusqu'à 3,6 m de long	
XVI - 834	138	75%	
		Free for mechanically drawn equipment/ Exonération pour le matériel à traction mécanique	
	141	75%	
XVI - 839	210	75%	
	ex 212	Free for machinery of more than 1/8 HP/ Exonération pour les machines de puissance supérieure à 1/8 de CV	
		40% for machinery up to 1/8 HP/ 40% pour les machines jusqu'à 1/8 de CV	
XVI - 841	225		
	226		
	227		
	228		
XVI - 842	229		
	230		
	231		
	232	free/exonération) see decree of/ 40% } cf. décret du 75% } 29.9.1960	
	233		
	234		
	235		
	236		
XVI - 843	237		
	238		
	239		

<u>Tariff item number</u>		<u>Rate of surcharge</u>
<u>Position du tarif</u>		<u>Taux de la surtaxe</u>
XVI - 847	284	40%
	286 B)	75%
	287	40%
	290	40%
	292)	free/exonération) see decree of/
	293)	40%) cf. décret du
	294)	75%) 29.9.1960
XVI - 851	336	40%
	337	40%
	338	40%
	339	40%
XVI - 852	341	40%
	342	40%
	343	40%
	344	40%
XVI - 854	364	75% (US\$1.85 per kg.)
	378)	
	ex 378)	
	ex 379)	
	ex 380)	free/exonération) see decree of/
	ex 381)	40%) cf. décret du
XVI - 857 -	418)	75%) 29.9.1960
	429)	
	446)	
	470)	
XVI - 862		150% (US\$3.50 per kg.)
	534	75%
	ex 540	75%
XVI - 866	569	75%
XVI - 868	597)	40% (US\$0.60 each/la pièce)) see decree of/
	598)	75% (US\$0.60 each/la pièce)) cf. décret du
		29.9.1960

<u>Tariff item number</u>		<u>Rate of surcharge</u>
<u>Position du tarif</u>		<u>Taux de la surtaxe</u>
XVII - 890	28	150% (US\$1.50 per kg.)
	29	
	30	
	30 a	
	31	
	32	150%
	32.1	
	32.1a	
	32.1b	
	32.1c	
	32.1d	
	32.1e	
XVII - 991	ex 37	150%
	ex 38	150%
XVII - 342	45	
	50	
	51	
	53	
	54	
	55	
	56	150%
	57	
	58	
	59	
	60	
	61	
	62	
	63	
	64	
	65	free/exonération) see decree of/
	66	40%) cf. décret du
	67	75%) 29.9.1960

<u>Tariff item number</u>		<u>Rate of surcharge</u>
<u>Position du tarif</u>		<u>Taux de la surtaxe</u>
XVII - 342	67)	
	68 c)	
	69)	free/exonération) see decree of/
	70)	40%) cf. décret du
	71)	75%) 29.9.1960
	72)	
	73)	
	74)	40%
	75)	
	76)	
	77)	free/exonération) see decree of/
	78)	40%) cf. décret du
	79)	75%) 29.9.1960
	80)	
XVII - 898	108	75%
	109	150%
XX - 984	281	150%
M.P. 38		free/exonération) see decree of/
		75%) cf. décret du
) 29.9.1960
M.P. 39		75%
M.P. ex 240		150%
M.P. 387		150%

