

GENERAL AGREEMENT ON TARIFFS AND TRADE

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CONTRACTING PARTIES
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CONSULAR FORMALITIES

At the twenty-fourth session, after a review of progress toward abolition of consular formalities on the part of some of the contracting parties which still maintain such formalities, it was decided to retain this item on the agenda of the twenty-fifth session, and to ask that those countries still maintaining consular formalities which had previously been asked to report again submit information on progress achieved by that time. These countries were again urged to hasten the removal of such formalities.

Accordingly, the secretariat reminded the following countries to submit reports in time for consideration by the twenty-fifth session:

Brazil
Dominican Republic
Haiti
Nicaragua

Peru
Portugal
Turkey
Uruguay

The information received on consular formalities in response to this request is reproduced below.

In addition, as five reviews have now been completed since the Panel of Experts reported on consular formalities in 1962, the secretariat undertook to prepare a tabular presentation along the lines of that contained in Annex A to the report of the Panel of Experts (BISD, Eleventh Supplement, page 217) recapitulating the position with respect to requirements concerning consular formalities which are regularly required. That report, which the countries in question have had an opportunity to review, is contained in L/. A report received from Chile in this connexion is also reproduced below.

It will be noted that the Government of Turkey suggests that its formalities apply only in special circumstances and expresses the hope that Turkey might be so classified in future, rather than among those maintaining formalities regularly.

TURKEY

1. As will be remembered, within the context of the standing recommendation Turkey has endeavoured continuously for simplification and elimination of consular formalities and has already taken the following essential measures in this respect:

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- (i) fees paid for the legalization of certificates of origin have been eliminated since July 1964;
- (ii) in order to amend the existing provisions pertaining to procedures and legalization of certificates of origin, as it was pointed out in the last report (L/2855), a bill was prepared and submitted to the Parliament, but it had become nullified by reason of the general elections and a new bill reintroduced in 1966.

2. The existing Customs Law does not require a certificate of origin legalized by the Turkish Consulates for all imports but only for goods of which rates of duty have been reduced by International Agreements, e.g. GATT, for the determination of their origin.

Besides, the following goods are exempt from the certificate of origin:

- (i) goods whose c.i.f.-value does not exceed LT 50 and whose origin may be determined by the customs through the markings they bear;
- (ii) goods brought in by post, by plane or by passengers, and bearing the marks and signs of the factories by which they were manufactured.

It should be added that such a certificate of origin may also be submitted to the customs within a period of four months after the importation if it has not been legalized previously.

3. With regard to the information provided in the annexes of the draft document INT(68)107, page 3, I would like to point out that:

- (i) the presentation of commercial invoices of three copies at consulate is not necessary. Just one copy thereof is required for the legalization purposes and there is no need for the certification of any commercial document by a national Chamber of Commerce;
- (ii) since legalization fee was eliminated in 1964, percentage fee (0.3 per cent) shown on the list for Turkey on page 3 should be deleted.

4. In the light of these explanations, it could be considered that Turkey is one of those contracting parties which have recourse to consular formalities only in special circumstances. So we hope that Turkey will possibly be indicated among such contracting parties in the new Survey.

CHILE

1. Article 92 of the Budget Act 1968, provides for the suspension for one year of Legislative Decree No. 6 of 6 September 1967, which re-introduced certain consular charges and formalities as from 1 January of this year.

2. In this connexion, the delegation of Chile is pleased to state that its Government intends to include in the draft Budget Act 1969, which is at present being drawn up in the National Congress, an article revoking the provisions of Legislative Decree No. 6, mentioned above.