

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

RESTRICTED

LIC/M/18

15 June 1987

Special Distribution

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Committee on Import Licensing

### MINUTES OF THE MEETING HELD ON 19 MAY 1987

Chairman: Mr. A.-H. Mamdouh

1. The Committee on Import Licensing held its eighteenth meeting on 19 May 1987, to consider a set of draft recommendations on the application of Articles 1.4, 1.6, 3(c), 3(d), 3(e) and 3(g) of the Agreement (Part I of the Work Programme of the Committee). The text of the recommendations was before the Committee in LIC/W/33/Rev.2.
2. The following statements were made with respect to the recommendations:-
3. The representative of Japan stated that his delegation supported the adoption of the recommendations. In this connection, the Japanese delegation wished to state that the Government of Japan was ready to make every effort to observe the recommendations, taking into account the spirit of the recommendations. However, he wished to point out that the Government of Japan had some difficulties and that there would be some cases where Japan could not observe the recommendations very strictly due to the limitations of domestic legislation and the like.
4. The representative of Hong Kong, referring to the Japanese statement, understood that Japan was saying that while it accepted the recommendations, it could not observe them in toto because of domestic legal difficulties. He asked for clarification of the Japanese statement, in particular in relation to Japan's commitments within the Agreement. The representative of Japan said that his government accepted the recommendations totally and was fully committed to them but that, because of the limitations of domestic law and the like, there were some cases where it would not be able to observe them very strictly.
5. The Chairman gave his understanding that Japan had accepted the recommendations and was in agreement with them.
6. With reference to paragraph (ii) of the recommendations, the representative of the Philippines gave his understanding that Article 3(c) of the Agreement, read in conjunction with Article 1.4, simply meant that the elements of information referred to in Article 3(c) should be published promptly.

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7. With reference to paragraph (iv), the representative of Hong Kong asked why the word "when" had been replaced by "if". The representative of Sweden stated that his delegation had asked for this to be done in order to clarify provisions expressed in a particular way in the Swedish language.

8. With reference to paragraph (v), the representative of the European Communities stated that her delegation would have preferred to see the word "shall" used in the English text. It was the understanding of the Community that there should clearly not be more than two bodies to be approached in such cases. The Community would not wish to see this develop into an open-ended mechanism.

9. The Committee took note of the remarks made and adopted the recommendations. The text is contained in document LIC/12.

10. Following the adoption of the recommendations, the representative of the European Communities stated that, although no link was made between the two subjects, the Community still attached importance to the question of the definition of the term "import licensing" in Article 1.1, which formed Part II of the Committee's work programme. The Community might elaborate on its existing proposals on this subject at a future meeting.

11. The representative of New Zealand expressed his satisfaction that the recommendations had at last been adopted. He noted that most of the time periods mentioned in the recommendations represented maxima. His delegation would not wish to see these treated as fixed time periods; shorter time limits would in any case be appropriate for the implementation of these provisions. The obligations contained in the Agreement itself had overriding legal force.

12. The Committee took note of these statements.