

GENERAL AGREEMENT ON

TARIFFS AND TRADE

L/7067

22 July 1992

Limited Distribution

PERU - ESTABLISHMENT OF A NEW SCHEDULE XXXV

Decision of 20 July 1992¹

Considering that, in a communication dated 14 April 1992², the Government of Peru notified the CONTRACTING PARTIES that, by Supreme Decree No. 063-92-EF of 27 March 1992, Peru adopted the new Customs Tariff which is based on the Common Tariff Nomenclature of the Member States of the Andean Group (NANDINA);

Considering that this new Tariff conforms to the Harmonized Commodity Description and Coding System and replaces the NABANDINA, which was based on the Customs Co-operation Council nomenclature;

Recognizing that, due to time constraints, it will not be possible for Peru to conduct consultations under the procedures of Article XXVIII of the General Agreement before the entry into force of the NANDINA;

Noting that the documentation necessary for holding consultations under Article XXVIII will be submitted to the GATT secretariat in the near future for circulation to the contracting parties as soon as possible;

Noting that in order to implement the NANDINA as from April 1992 the Government of Peru is requesting a temporary exemption from its obligations under Article II of the General Agreement until 31 May 1993;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV of the General Agreement,

Decide, in view of the exceptional circumstances, to suspend the application of the provisions of Article II of the General Agreement to enable the Government of Peru to implement the NANDINA as from April 1992, subject to the following conditions:

1. The Government of Peru will promptly enter into negotiations and consultations with interested contracting parties pursuant to paragraphs 1-3 of Article XXVIII.

¹The Decision was adopted by postal ballot. There were 61 votes in favour and none against.

²L/6997.

2. The negotiations and consultations mentioned above shall be completed not later than 31 May 1993.
3. Pending the entry into force of the results of the negotiations or consultations mentioned above, the other contracting parties will be free to suspend concessions initially negotiated with Peru to the extent that they consider that adequate compensation is not offered by the Government of Peru.