

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

L/7152

9 December 1992

Limited Distribution

### MALAWI - RENEGOTIATION OF SCHEDULE LVIII

#### Decision of 3 December 1992

Considering that, in a communication dated 17 September 1992 (L/7102), the Government of Malawi has notified the CONTRACTING PARTIES that, in accordance with the Decision of the Customs Co-operation Council to replace the CCCN by the Harmonized Commodity Description and Coding System (Harmonized System) on 1 January 1988, the Government of Malawi has decided to request a waiver to renegotiate a new Schedule;

Considering that the Government of Malawi experienced external economic pressure in the recent years which created external and internal imbalances in the balance of payments and budget thus creating the need for a more flexible use of tariff protection;

Noting that the process of system conversion and the balance of payment problems of a least developed country such as Malawi have entailed changes in tariff rates of some items;

Taking into account that the Government of Malawi has completed the transposition of its Customs Tariff from the CCCN to the Harmonized System and that it is ready to enter into negotiations or consultations with any interested party under the relevant provisions of Article ... of the General Agreement;

Noting that, in view of the above, the Government of Malawi has requested to be temporarily exempted from its obligations under Article II of the General Agreement until 31 December 1993;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 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 Malawi to implement the Harmonized Commodity Description and Coding System, subject to the following conditions;

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

2. The negotiations and consultations mentioned above shall be completed not later than 31 December 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 the Government of Malawi to the extent that they consider that adequate compensation is not offered by Malawi.