

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

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Sub-Committee on Non-Tariff Barriers

NON-TARIFF BARRIERS

Memorandum by the United Kingdom Delegation

1. In GATT/AIR/343 the Executive Secretary suggested that in so far as non-tariff barriers were concerned "the essential thing is to determine, as soon as possible, what are the particular matters on which interested contracting parties wish to negotiate and then to establish how they are to be dealt with. Governments, therefore, that wish particular measures to be brought within the scope of the negotiations are invited to indicate which they are and submit specific suggestions on how they should be dealt with".
2. This memorandum accordingly sets out the measures in this field which the United Kingdom Government would wish to see brought within the scope of the negotiations and suggests how they might be dealt with.
3. Two main questions seem to us to arise in the consideration of this subject by the Sub-Committee on Non-Tariff Barriers:
  - (a) what measures should be dealt with and how they should be changed;
  - (b) how discussion of these points can be related to the negotiations as a whole.

Measures to be dealt with

4. In our view the most important non-tariff measures to be considered are the following, all of which have been the subject of bilateral negotiations between the United Kingdom and other countries:
  - (a) preference for domestic products in purchases by public authorities;
  - (b) anti-dumping legislation and its administration;
  - (c) the use of arbitrary or excessive values in levying customs duties;
  - (d) the United States system of wine-gallon assessment on imported bottled spirits;
  - (e) administrative and technical regulations which have the effect of hindering trade;

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- (f) customs formalities;
- (g) quantitative restrictions.

How to relate discussion of these measures to the negotiations

5. The diversity of these measures and the differing extent to which they can be directly related to the exchange of tariff concessions seem to us to make it impracticable to lay down any generally applicable and precise rules for their handling in the negotiations. The essential point is that certain participating countries will wish to take account of the progress made in the liberalisation or removal of these measures when it comes to their assessment of the balance of reciprocity.

6. It follows from this that once the Sub-Committee has judged it reasonable that a particular non-tariff barrier should be taken account of in the negotiations, discussion of the methods to be adopted in removing or changing it should be referred by the Sub-Committee either to bilateral discussions where only two countries are concerned or to a small expert Working Group where the subject is of wider concern, with progress reports at appropriate intervals throughout the negotiations to the Sub-Committee.

Conclusion

7. It is suggested that:

- (a) The Sub-Committee should list the non-tariff barriers which in its view are appropriate for discussion in the negotiations. A contribution to this list is in paragraph 4 above.
- (b) Discussion of these measures should be remitted by the Sub-Committee to bilateral discussion or expert Working Groups with progress reports to the Sub-Committee at appropriate intervals.
- (c) The degree of progress made in the elimination or modification of these measures should be taken into account by participating countries in assessing reciprocity.