

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

MTN/NTM/7

10 October 1975

Special Distribution

Multilateral Trade Negotiations

Group "Non-Tariff Measures"

Sub-Group "Customs Matters"

MEETING OF OCTOBER 1975

Record of Decisions Taken at the Meeting

1. The Sub-Group met on 7-8 October 1975. It agreed that the Sub-Group should be chaired by the secretariat. It invited the Secretary-General of UNCTAD or his representative to attend this meeting of the Sub-Group as an observer. It also invited a representative of the Customs Co-operation Council to attend this meeting of the Sub-Group as an observer to assist the Sub-Group in an expert capacity.

A. Customs valuation

2. The Sub-Group agreed to consider at its next meeting the main elements of possible new international rules or principles and that the following specific issues would be discussed:

- (a) judicial and administrative review procedures;
- (b) publication of laws, regulations and administrative decisions;
- (c) precise and fair handling of non-arm's length transactions;
- (d) neutrality of valuation system/systems.

The Sub-Group agreed that the written submissions contained in MTN/NTM/W/20 and addenda would constitute the basis for the discussion and that participants would be free to introduce elements contained in the ad referendum solution on customs valuation reproduced in Annex 1 to document MTN/NTM/W/7.

3. The Sub-Group invited participants to transmit to the secretariat in writing by 31 January 1976 specific comments on the above-listed points. It stressed the need for bilateral consultations to be held before the next meeting in order to elucidate positions of participants on these points and facilitate the further proceedings. The Sub-Group also invited delegations who have not yet submitted their comments on the elements that they wished to have included in any new set of international rules

or principles on customs valuation to be adopted in the context of the Multilateral Trade Negotiations to do so by 31 January 1976 (MTN/NTM/4, paragraph 6, and GATT/AIR/1189) and stressed the importance of receiving such additional comments.

4. The Sub-Group agreed to revert at its next meeting to a proposal made at this meeting and supported by several delegations that the secretariat be requested to prepare a list of elements that participants wish to have included in any new set of international rules or principles on customs valuation to be adopted in the context of the Multilateral Trade Negotiations and to a further proposal for the preparation of a synthesis of comments contained in document MTN/NTM/W/20 and addenda as compared with the elements contained in the ad referendum solution on customs valuation reproduced in Appendix 1 to document MTN/NTM/W/7.

B. Import documentation including consular formalities

5. The Sub-Group agreed that the secretariat would continue to keep the Sub-Group informed on developments in the Economic Commission for Europe and the Customs Co-operation Council which are relevant to its work.

6. The Sub-Group instructed the secretariat to circulate the text of the recently adopted ECE Recommendation on an Aligned Invoice Layout Key for International Trade for subsequent consideration by the Sub-Group.

7. The secretariat was requested to update document MTN/NTM/W/22 taking into account additional data to be submitted by delegations who have not yet done so.

8. The Sub-Group agreed to have an extensive and detailed exchange of views inter alia, on aspects of policy considerations underlying import documentation requirements, at its next meeting on the basis of a revised version of document MTN/NTM/W/22.

9. The Sub-Group agreed that the question of consular formalities and fees should be kept on the agenda.

10. The Sub-Group reiterated its wish that countries who had not yet done so be invited to explain in detail the justification for the continued existence of consular formalities and fees in their countries and possible problems associated with their abolition.

11. The Sub-Group stressed the need for bilateral contacts in the area of consular formalities and fees.

12. The Sub-Group requested the secretariat to prepare a list, on the basis of available information and after verification with importing countries, of existing consular formalities and fees as well as a list of countries who, during the last few years, have abolished such formalities and fees.

C. Customs procedures

13. The Sub-Group had an exchange of views on the question of delays incurred in the formal customs clearance processes (MTN/NTM/W/23) and agreed to revert to this question at its next meeting. The Sub-Group also agreed that the question of penalties for errors might be taken up at a subsequent meeting.

D. Next meeting

14. The Sub-Group agreed that the date for the next meeting would be determined, after receipt of the written comments mentioned in paragraph 3 above, by the Chairman in consultation with delegations, but at any rate the meeting would not be held later than 31 March 1976.