

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

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Group of Negotiations on Services

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COMMUNICATION FROM AUSTRALIA

Revised MFN Exemption List of Australia

The following communication is circulated at the request of Australia to the members of the Group of Negotiations on Services.

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Attached is a list of Australia's intentions at this stage of the negotiations, with respect to MFN exemptions. This has been prepared in accordance with the Secretariat's explanatory note entitled Listing of Article II Exemptions of 15 September 1993.

Australia continues to adopt a disciplined approach to the scope and number of exemptions with the aim of preserving the principle of unconditional MFN. Australia wishes to point out the very limited economic and trade impact of the attached exemptions.

Australia notes the assessment contained in the GNS Chairman's statement in MTN.GNS/48 that it would not be possible prior to the finalization of the Uruguay Round to reach definitive conclusions as to whether the category of measures contained in the Secretariat's note entitled Issues Relating to the Scope of the General Agreement on Trade in Services (MTN.GNS/W/177/Rev.1 of 4 November 1993) fall within or outside the scope of the GATS.

Australia reiterates the view communicated in Attachment B of its original submission of exemptions of 13 March 1992 that provisions in international agreements on mandatory and binding dispute settlement through international arbitration and measures relating to social security, medical care and entry visas fall outside the scope of the GATS. Accordingly, to the extent that Australia is a party to such arrangements, they have not been included in this revised list.

Consistent with the approach taken by other delegations at the 29 October GNS meeting, Australia has not sought exemptions for any of the measures detailed in document MTN.GNS/W/177/Rev.1. Australia reserves the right, however, to examine this issue further in light of the approach taken by other countries and in the context of finalizing its list of MFN exemptions.

In submitting this list, Australia also reserves the right to take out MFN exemptions to protect its commercial interests in the event of trading partners being unwilling or unable to pursue a disciplined approach to the application of MFN in key sectors such as financial services and maritime transport. Moreover, Australia would need to review its offer of initial commitments in light of any action by participants in the negotiations to take out extensive and unreasonable MFN exemptions.

Sector or Sub-Sector	Description of Measure Indicating its Inconsistency with Article II	Countries to which the Measure Applies	Intended Duration	Conditions Creating the Need for the Exemption
Audiovisual Services	Under the Australian Government Co-production program, Australia maintains preferential co-production arrangements for film and television productions. Official co-production status, which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements, including in respect of access to finance and tax concessions and simplified requirements for the temporary entry of skilled personnel into Australia for the purposes of the co-production.	Italy, U.K., Canada and France and any other country where cultural co-operation might be desirable and which is prepared to exchange preferential treatment on the terms and conditions specified in the Australian co-production program.	Indefinite.	To promote collaborative efforts between Australian and foreign film producers and general cultural links.

Sector or Sub-Sector	Description of Measure Indicating its Inconsistency with Article II	Countries to which the Measure Applies	Intended Duration	Conditions Creating the Need for the Exemption
Financial Services:  Securities	Members of foreign stock exchanges who wish to become members of the Australian Stock Exchange are only able to do so if the foreign stock exchange provides access to Australian Stock Exchange members on terms and conditions which are reasonable and not more onerous than those applying to applicants for membership of the Australian Stock Exchange.	All countries.	Indefinite.	To promote non-discriminatory liberalization of access to stock exchange membership. A number of GATS members regard their stock exchanges as fully independent of government and, therefore, outside the scope of Article I:3.