

THIRD COMMITTEE: COMMERCIAL POLICY

SUB-COMMITTEE C ON GENERAL COMMERCIAL PROVISIONS

(Articles 32 - 39)

NOTES ON NINTH MEETING

Held on 7 January 1948 at 10.30 a.m. in Conference Room B

Chairman: Mr. C. E. MORTON (Australia)

ARTICLE 33 - ANTI-DUMPING AND COUNTERVAILING DUTIES

Paragraph 5, third sentence

1. In the course of the discussion of this third sentence the representative of Cuba withdraw his amendment (Paragraph 7 - Item 10) and the Sub-Committee accepted the last sentence of this paragraph as given in the Geneva Draft.

ARTICLE 34 - VALUATION FOR CUSTOMS PURPOSES (E/CONF.2/C.3/10 and E/CONF.2/C.3/C/9)

Paragraph 1

2. The Sub-Committee approved paragraph 1 as given in the Geneva Draft.

Paragraph 2

First sentence

3. The Sub-Committee discussed the Note in the Geneva Draft (Item 26). The CHAIRMAN stated that, in the opinion of the Sub-Committee, this Note had neither an explicative nor an interpretative value. It should therefore be deleted, and its content included in the Report of the Sub-Committee.

The Sub-Committee approved the first sentence as given in the Geneva Draft.

Second sentence

4. The Sub-Committee discussed the proposal of Argentina (Item 27) to delete the words "upon a request by another Member". This amendment was replaced by the representative of Argentina during the discussion by a suggestion for the insertion of the words "directly affected" after the words "another Member" in the Geneva Draft. The Sub-Committee agreed, and consequently the words "directly affected" were inserted after the words "another Member". The second sentence thus amended was approved.

/Third sentence

Third sentence

5. The Sub-Committee approved the third sentence as given in the Geneva Draft.

Paragraphs 3 (a) and 3 (b)

6. The Sub-Committee discussed the amendments to these sub-paragraphs presented by the Delegations of Uruguay (Item 28) and Chile (Item 29).

It was agreed to establish a Working Party consisting of the representatives of France, United Kingdom, United States and Uruguay, with the representatives of Chile as observer, to examine these two amendments with the following terms of reference:

"To consider whether any temporary provision for existing customs systems utilizing arbitrarily fixed values should be agreed by means of an interpretative Note, or by inclusion in the text."

Item 30

7. The Sub-Committee discussed the amendment proposed by the Delegation of Uruguay dealing with customs valuation of primary products when sold under government contracts. In the course of the discussion the representative of Uruguay amended his proposal by replacing the word "shall" by "may". The Sub-Committee accepted the proposal of Uruguay and agreed to incorporate it in the Note of the Geneva Draft (Item 31) by inserting after the words "invoice price", the following language in brackets "(in the case of government contracts in respect of primary products, the contract price)".

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