

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/92/Add.1

18 September 1953

Limited Distribution

CONSULAR FORMALITIES

Reports of Contracting Parties

Contracting Parties were asked in document L/92 to submit by 1 September 1953 a report on steps taken towards the abolition of consular invoices and consular visas as recommended by the CONTRACTING PARTIES on 7 November 1952. The reports received to date are reproduced in this document.

Index

| | <u>Page No.</u> | | <u>Page No.</u> |
|---------------|-----------------|-------------------|-----------------|
| Austria | 2 | India | 4 |
| Belgium | 2 | Italy | 4 |
| Belgian Congo | 2 | Netherlands | 5 |
| Canada | 2 | New Zealand | 5 |
| Ceylon | 2 | Norway | 5 |
| Denmark | 2 | Southern Rhodesia | 5 |
| Finland | 3 | South Africa | 5 |
| Germany | 3 | Sweden | 6 |
| Greece | 3 | United Kingdom | 6 |
| Haiti | 3 | United States | 7 |

AUSTRIA: 31 July 1953

"... for the time being no consular invoices or consular visas for commercial invoices are requested in Austria."

BELGIUM: 1 July 1953

"The Belgian Customs authorities require neither consular invoice nor consular visas for commercial invoices, certificates of origin, manifests, etc.

"However, it should be noted that for imports of caustic potash and carbonate of potash, the licences issued are valid only if they are accompanied by a certificate of origin issued by official Belgian diplomatic or consular missions abroad."

BELGIAN CONGO: 1 July 1953

"No consular formality is required for imports of goods into this Belgian colony."

CANADA: 25 June 1953

"No consular formalities are maintained by Canada. Invoice form "M-A", which is prescribed for use with respect to goods sold by an exporter abroad to a purchaser in Canada prior to shipment, only requires the signature of the exporter. Form "N-A", which is prescribed for use with respect to goods shipped on consignment without sale to a purchaser in Canada prior to shipment, must be declared before an official authorized to administer oaths. For specimens of these invoice forms and certificates, see pages 13, 14, 15, 18, 19 and 20 of Department of National Revenue Memorandum Series D. No. 43, Second Revision."⁽¹⁾

CEYLON: 22 June 1953

"No consular formalities are required at present except for purposes of preference in respect of Empire goods transhipped en route or shipped from a foreign port after overland transit. In order to qualify for preference, in the absence of a through Bill of Lading such goods should be accompanied by a certificate of arrival or landing at and exportation from the port of transshipment issued by a Customs Officer. Such certificate is required to be visaed by a British Consular authority only if it is issued by a foreign Customs Official."

DENMARK: 1 September 1953

"Consular invoices, consular visas, certificates regarding origin etc., are not prescribed by the Danish authorities."

(1) Available in the secretariat offices.

FINLAND: 27 July 1953

"At the time of import, Finland does not require any consular invoice or consular visa for the commercial invoices, certificates of origin, manifests, etc. referred to in the recommendation of the CONTRACTING PARTIES of 7 November 1952."

GERMANY: 25 August 1953

"The Government of the Federal Republic of Germany does not require consular invoices or consular visas in connection with the importation of goods. This fact shows that the principles concerning the abolition of consular formalities expressed in the Standard Practices on Consular Formalities have already been fulfilled by the Federal Republic."

GREECE: 29 August 1953

"There is no problem for the application by Greece of the Standard Practices on Consular Formalities because legislation at present in force does not provide for consular certificates of origin nor for consular visas on commercial invoices or other customs documents relating to the movement of goods in international trade."

HAITI: 31 August 1953

"As the Haitian Delegation forecast when examining the plan for abolition of consular formalities, the government of the Republic of Haiti has been unable to envisage measures in that sense during the fiscal year ending 30 September 1953. The financial year in Haiti was characterized by a shrinkage of national income, and present policy is designed to create new resources and to increase the income from taxes and dues in force at present, preferably to relinquishing one or other of the latter.

"Upon the occasion of the tabling before the Legislative Body during the present session of a bill to increase the tariff for Chancery deeds, the government however made an effort in refraining from increasing the rate for visas on consular invoices, together with most of the other fees, in order to avoid running counter to the Resolution of 7 November 1952.

"Along the same lines, the bill exempted from consular invoices, all imports by air amounting to less than U.S. \$100. According to present stipulations, which had been adopted before the recent development of air transport of goods, all imports by air had to be covered by an airway bill. Since that date, their number has increased to such an extent, as to assimilate them, in some ways, with imports by sea. Henceforth, they should be accompanied by a consular invoice, but only if their individual value is equal to or over U.S. \$100. Between \$100 and \$200, imports by air and by sea are charged a consular visa fee, of \$2 and above \$200, 1 per cent of their value. The new bill therefore endeavoured to avoid actually increasing the incidence of visa fees as a whole.

"A similar differentiation with reduction of the minimum fee is planned for entry visas on ships bound for Haiti. According to present legislation, the fee levied for that formality is U.S. \$20 when the ship is sailing in ballast, and U.S. \$25 when it carries cargo. According to the bill, ships under 100 tons sailing in ballast, shall pay only \$15. It should however be recognized that the upper demarcation line for fees on loaded ships has also been raised.

"When the resolutions submitted by the International Chamber of Commerce were examined the Haitian Delegation pointed out that the practice of their country was already consistent with "Uniform Regulations" Nos. 3, 4, 5, 6, 9 and 10. The bill stipulated as supplementary fees, \$3 to be charged when the visa was requested out of office hours, and \$6 when the visa was requested outside of working days, which measure can scarcely be considered to run counter to Regulation No. 8. The fee to be charged on bills of lading when the visas have expired, in instances when a ship or aircraft has not left the port within 72 hours after their issuance, is maintained at \$6 for aircrafts, and \$10 for ships.

"The cost of visas for bills of lading, commercial invoices, certificates of origin and certificates of non-embarkation, is fixed in the bill at \$2, and that of supplementary manifests at \$5. The number of copies of papers to be produced by ships' captains is maintained at 7, contrary to the recommendation contained in Regulation No. 7.

"The Haitian government firmly hope that by 31 December 1956 the development of other sources of public revenue will enable them progressively to relax present requirements as regards consular formalities and fees."

INDIA: 17 July 1953

"... India does not maintain a system of consular invoices or visas in connection with importation of goods."

ITALY: 7 August 1953

"The competent Italian authorities do not require any consular invoice from importers of foreign goods.

"In fact, the relevant Italian legislation does not lay down any regulation in this respect.

"As regards consular visas affixed to import documents, it should be stressed that for the last three years, Italy has not required any visa on certificates of origin and bills of lading. By telegram No. 26493 of 16 September 1950, the Italian Finance Minister has in fact instructed the customs offices not to request any consular visa on certificates of origin and bills of lading until further notice.

"As regards the recommendations relating to the standard practices approved by the CONTRACTING PARTIES at their Seventh Session, it should be recalled that:

(a) all consular fees levied on certificates delivered or visaed by Italian representatives abroad, though they are expressed in gold lire, are, in fact, paid in local currency, that is, in the currency of the exporting country;

(b) the fees in question are fixed, as laid down by the relevant legislation and should be regarded as fully equitable in view of the fact that no complaint has ever been lodged by foreign exporters;

(c) no further increase should, in fact, be made by Italian representatives abroad;

(d) the affixing of the visa or the issuing of the above mentioned document is promptly effected by Italian representatives abroad upon the request of those concerned."

NETHERLANDS: 24 July 1953

"...in the Netherlands neither consular invoices nor invoices etc. with a consular visa are required in connection with duties and taxes due when goods are imported.

"The Netherlands therefore need not take any measures to give effect to the recommendation of the CONTRACTING PARTIES for the abolition of consular invoices etc."

NEW ZEALAND: 10 March 1953

"... no consular visas, invoices, or other consular formalities are required by New Zealand in connection with goods imported into this country."

NORWAY: 7 August 1953

"... no consular invoices or visas in connection with importation are required in Norway."

SOUTHERN RHODESIA: 17 July 1953

"... no consular invoices or consular visas are required by Southern Rhodesia in connection with importations."

SOUTH AFRICA: 12 August 1953

"The Union of South Africa has no consular formalities with which importers and exporters are required to comply. South Africa's documentary requirements, insofar as importation and exportation of goods are concerned, are therefore already fully in accordance with the recommendation on consular formalities which was adopted by the CONTRACTING PARTIES on 7 November 1952."

SWEDEN: 8 September 1953

"Neither consular invoices nor consular visas for commercial invoices are in principle required for importation into Sweden. The only cases when consular visas are required relate to veterinary certificates or other for sanitary reasons necessary documents regarding certain kinds of goods.

"Concerning these documents it is prescribed that the competence of the issuer of such certificates shall be certified by a Swedish diplomatic or consular authority.

"In many cases, however, agreement has been reached with the competent authorities in foreign countries on other guarantee arrangements, whereby it has been possible in the individual case to abate the requirement for such certificates. The maintenance of the visa requirement in the special cases, where that is done in Sweden, would not seem to be in contradiction to the GATT recommendation.

"Accordingly, there seems to be no need for particular measures in order to abolish consular formalities in Sweden."

UNITED KINGDOM: 14 August 1953

"1. The United Kingdom does not require consular invoices at all and does not require consular visas for commercial invoices, certificates of origin or manifests. At the present time consular visas are, however, required in three special but relatively unimportant cases affecting imported goods.

"2. The first case concerns goods imported from other Commonwealth countries for which admission into the United Kingdom at preferential rates of duty is claimed. It is one of the conditions of admission to Preference that goods must be consigned direct from the Commonwealth country of origin to the United Kingdom. It sometimes happens that they are transhipped at a foreign port or are shipped from a foreign port after overland transit from a Commonwealth country. In most such cases a through Bill of Lading or consignment note can be produced and, if so, this is accepted as evidence of direct consignment. Where, however, no such evidence is available, a certificate from the Customs authorities in the foreign port, is required authenticating the landing or arrival of the goods at that port and their subsequent exportation therefrom. Such certificates must be attested or legalised by a British Consul.

"3. The second case concerns evidence regarding the age of spirits. United Kingdom law provides that potable spirits may not be allowed to go into consumption until they are at least 3 years old. In the case of imported spirits the period of time which has elapsed between their distillation and their importation is accepted as counting towards the required minimum of 3 years and for this purpose certificates of age rendered by the foreign shipper, or someone having knowledge of the facts, are accepted. Such certificates must be attested or legalised by a British Consul.

"4. The third case concerns the importation of rum. Where liquor described as rum is imported from a country where sugar cane is not cultivated, evidence is required to show that the liquor originated in a country in which sugar cane is grown. If there is a through Bill of Lading, it is accepted as adequate evidence. If such evidence is not available, certificates of landing in and exportation from the intermediate country are required, and such certificates must be visaed by a British Consul.

"5. These United Kingdom requirements involving consular intervention are not considered to be very burdensome upon trade. Nevertheless, the United Kingdom Delegation recognises the desirability of doing everything possible to eliminate all consular formalities in connection with the importation of goods and has therefore instituted a review of the requirements described in paragraphs 2, 3 and 4 of this memorandum with a view to their withdrawal."

UNITED STATES: 27 August 1953

"The United States considers that its present regulations conform in all respects to the Standard Practices for Consular Formalities recommended by the CONTRACTING PARTIES. In addition, progress toward the elimination of the requirements for consular invoices has been made by the United States Government during the current year.

"Effective September 7, 1953, with the coming into force of the Customs Simplification Act of 1953, authorization will be provided to permit informal entries up to \$250.00, thus raising the ceiling from the present \$100.00 limit. Certified consular invoices are not required for entries made under the informal entry procedure and it is expected that numerous shipments of products previously requiring certified consular invoices will now be relieved of this requirement because of this change. The informal entry procedure is a much simpler and quicker method of entering products through United States Customs since appraisal and collection of duty is done in one operation at one time.

"Also effective September 7, 1953, the Customs Simplification Act will grant the Secretary of the Treasury who administers the Act, discretion to require certified invoices with respect to such merchandise as he deems advisable and to establish terms under which merchandise may be imported without a certified invoice. Under the preceding law, invoices certified by a United States consulate were required for many entries and the Secretary of the Treasury was authorized to provide for exceptions from this requirement. Exceptions from the requirement had been made for most duty-free imports and most merchandise subject to specific duties and certain other products. This new Act will permit the Secretary of the Treasury to make a thorough study of the utility of certified invoices, to require them only where they serve a useful purpose and, if feasible to eliminate them entirely."