

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Limited Distribution

CONSULAR FORMALITIES

The following statement has been received from
the Government of BRAZIL

With reference to the document L/197 in which members of the CONTRACTING PARTIES are invited to furnish details of the measures taken by their Governments to adopt the recommendation of 7 November 1952 to suppress consular formalities (B.I.S.D. page 26, English text), we wish it to be known that the Brazilian Government, although giving its approval, and in agreement with the objectives in view in the aforementioned recommendation, must declare that it has not, as yet, been able to take definite steps in this direction.

The reasons justifying this attitude are based principally on administrative difficulties and the consequences thereof, as these recommendations are in direct opposition to traditional procedure that could only, with much preparation, be altered.

The Brazilian Government strove for nine years to fulfil the recommendation of the International American Conference held in 1890 for the introduction in Brazil of the Consular Invoice. We believe it would be difficult to abolish such a document, in force for sixty years, without the due concern and the necessary time.

Therefore, in spite of our approval of the principles and recommendations of the CONTRACTING PARTIES, the fact remains that this is not sufficient to remove the many existing difficulties. However, we will continue to abide by these principles and keep this aim in view.

And finally, to clarify our position, we state our procedure with reference to the ten points in the recommendation.

- Standard Practices for Consular Formalities -

1. Brazilian Consular fee is a progressive charge, but not a percentage of the value of the goods.
2. Consular invoices and consular visas are required for consignment of goods of an invoice value not exceeding United States \$25. Steps are being taken to raise this limit to United States \$100.

3. Fee is payable in the currency of the exporting country.
4. When Brazil has no consular representative in the country of exportation, the exporter must present two copies of the commercial invoice and certificate of origin to the customs authorities at the first Brazilian port of call, who will then duly legalize these documents charging the consular fees. One copy is delivered to the exporter or his agent for clearance purposes and the other sent to the National Statistics Department.

Should the first port of call be Rio de Janeiro, the procedure is the same. The legalization however is carried out by the Foreign Office.

5. According to Article 55 of the Brazilian Consular Invoice Regulation a fine of 1 to 5 per cent on the duties charged is imposed for mistakes and irregularities in the Consular Invoice presented. This applies to the Consular Invoice only and to no other document. The Brazilian Administration however has decided to discontinue this practice.

6. Forms are obtained from private stationers only, and are not issued by the government. A draft copy may be obtained, gratis, from the Consular authorities, who are also bound to give legal information to the exporters, if required.

7. Five copies are requested of the Consular Invoice only. Two copies of the commercial are required.

8. Documents must be completed and returned to the exporter within 24 hours. There is no overtime.

9. Documents must be submitted to the consular authorities before the arrival of the ship at the Brazilian port of destination of the cargo.

10. The only requirement is that the documents are presented for consular legalization before the arrival of the ship at the Brazilian port of destination of the goods. Documents presented by exporters to the consular authorities after the arrival of the ship are declared void, and are subject to penalties.

