

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/444

28 October 1955

Limited Distribution

CONTRACTING PARTIES
Tenth Session

Original: English

NATIONALITY OF IMPORTED GOODS

Statement by the Government of Austria (15 October 1955)

"The Government of Austria is still of the opinion that a common definition of origin of imported goods within the framework of GATT would be desirable. The detrimental effects of the lack of such a commonly accepted definition are numerous as an example, the differences existing between the data for various imported commodities contained in the trade statistics of contracting parties. In the case of Austria these differences have led to certain difficulties in the development of trade relations with overseas countries.

"In the course of Article XXVIII negotiations recently conducted by Austria and other contracting parties, the lack of such a definition has been felt. This was the case when contracting parties, on the basis of data supplied by their own trade statistics, claimed a substantial interest with regard to a concession withdrawn by another contracting party, whereas the contracting party negotiating the withdrawal denied the existence of imports which would warrant the claim for a substantial interest. Obviously, such problems are due to a large extent to the differences between the regulations applied to the origin of imported goods by contracting parties.

"The relevant Austrian legislation recently enacted, therefore, has taken into consideration the proposal for a common definition of origin proposed in document G/CC. The Austrian Tariff Law (Zollgesetz, BGBl. 165/55 of 14 July 1955, Art. 4, para (3)) contains the following definition:

'(3) Products originating in a country which enjoys contractual rates are to be understood to be the natural products/of that country/and the goods manufactured therefrom as well as goods manufactured by admixture, or transformation, of a bigger quantity of products of that country with goods produced in other countries, and finally goods produced from natural or other products of other countries provided they have undergone the last substantial transformation in that country which altered the individuality or the value of the products.'

"It is realized, however, that a number of contracting parties are opposed to the creation of such a common definition within the framework of GATT. In order to provide a basis for further discussion, the Austrian Government, therefore, in taking up the suggestion made by the International Chamber of Commerce, will propose the setting-up of an expert-committee charged with the task of establishing practical criteria for the determination of origin of specific commodities. The criteria established by this group of experts would then be submitted to the governments of the contracting parties for adoption.

"The suggestions put forward in this letter, as well as previous statements made by the Austrian delegation, take into consideration the opinion of Austrian business circles, represented by the Federal Chamber of Commerce."