

GENERAL AGREEMENT ON TARIFFS AND TRADE

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SAMPLES CONVENTION

Views of Contracting Parties on the Interpretation of Article III

The governments which are parties to the Samples Convention, and those which have signed the Convention but have not yet ratified or acceded to it, were invited to submit by 31 March 1956 their opinion on the question of interpretation of paragraph 1 of Article III, as described in L/472.

The replies received from the Governments of Czechoslovakia, Denmark, Finland, India, Japan, Sweden, Switzerland and the United Kingdom have been distributed in documents L/472 and Add. 1 and 2, and the reply received from Indonesia is reproduced below. Governments which have not yet transmitted their comments are requested to do so as soon as possible; these countries are: Australia, Belgium, Egypt, the Federal Republic of Germany, Greece, the Netherlands, Norway, Pakistan, Spain and the United States.

The reply received from the Government of Indonesia reads as follows:

"The Indonesian Government is of the opinion that the word 'modèles' as the French translation of the English word 'example' has a more extended meaning than the word 'example'. The word 'modèles' includes also reduced-scale models of articles and articles made up in materials other than the material which would be used in the articles for which orders were to be sought and which would eventually be imported. On the other hand the English word 'example' only means objects which are generally of the same size or material and are to be used for the same general purposes as the articles for which orders were to be taken.

"To stretch the English text of Article III:1 of the Convention to cover all the possible meanings of the French text would be impracticable and undesirable.

"In view of these considerations the Indonesian Government is in favour of a narrower interpretation of the word 'sample', e.g. 'example of goods the production of which is contemplated'.

"Accordingly, the Convention does not extend to reduced-scale models of articles and to such articles as 'toiles de couture' which are made up in materials inferior to the articles for which orders are to be sought when these models or articles are imported for the purpose of soliciting orders for goods from abroad."

