

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/2467

6 September 1965

Limited Distribution

Original: French

ACCESSION OF PORTUGAL

Law Relating to the Unification of Portuguese Markets

In accordance with paragraph 3 of the Protocol for the Accession of Portugal to the General Agreement on Tariffs and Trade, the Portuguese delegation has communicated to the Director-General the following legislative texts relating to the implementation of Decree Law No. 44,016 of 8 November 1961 (see TN.60/14 and TN.60/14/Corr.1). The texts, in Portuguese, may be consulted at the secretariat offices.

- Decree Law No. 44,652 of 27 October 1962, published in the "Suplemento" to the "Diario do Governo" of 27 October 1962, (pages 1409 to 1416), which establishes provisions designed to ensure the economic and social development of the less-developed territories and areas of Portugal and introduces changes in the structure and function of the bodies supervising these problems.

- Decree Law No. 44,698 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1501 to 1508), which establishes the conditions to govern import, export and re-export of goods, current invisible transactions and import and export of private capital.

- Decree Law No. 44,699 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1508 to 1513), which lays down regulations for exchange transactions in the European territories of Portugal and certain transactions relating to the exchange market.

- Decree Law No. 44,700 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1513 to 1518), which lays down regulations for exchange transactions in the overseas provinces.

- Decree Law No. 44,701 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1518 to 1521), which establishes provisions to govern transactions connected with the settlement of imports, exports or re-exports of goods, current invisibles and capital as between the various national territories and connected with the opening and movement of accounts by credit institutions in any one of these territories in the name of persons resident in another territory.

- Decree Law No. 44,702 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1521 to 1526), which establishes a system of inspection of credit and insurance or banking trade in the overseas provinces, modifies the constitution and functioning of existing exchange funds and creates such funds in certain overseas provinces.

Decree Law No. 44,703 of 17 November 1962, published in the "Suplemento" to the "Diario do Governo" of 17 November 1962 (pages 1526 to 1532), which institutes a system of interterritorial compensation and payments in Portuguese territory.

- Decree Law No. 44,828 of 31 December 1962, published in the "Diario do Governo" of the same date (pages 1898 to 1899), which set 1 March 1963 as the date of entry into force of Decree Laws Nos. 44,698, 44,699, 44,700, 44,701, 44,702 and 44,703.

- Decree Law No. 44,874 of 7 February 1963, published in the "Diario do Governo" of the same date (pages 123 to 124), which provides that products derived from crude petroleum and petroleum residues coming under Article 1 of Decree Law No. 29,034 when originating in the overseas provinces and eligible for duty-free treatment pursuant to Article 9 of Decree Law No. 44,016, shall be liable to a stabilization charge equal to the charge mentioned in the import tariff applicable to similar products of the petroleum refining industry in the European territories.

- Decree Law No. 44,890 of 20 February 1963, published in the "Suplemento" to the "Diario do Governo" of 20 February 1963 (pages 185 to 187), which establishes the system to be applied to imports and exports of private capital between the national territories.

- Decree Law No. 44,891 of 20 February 1963, published in the "Suplemento" to the "Diario do Governo" of 20 February 1963 (pages 187 to 189), which authorizes the Government, through the Ministry for Overseas Territories, to negotiate a contract in the name of the State with the "Banco Nacional Ultramarino", according to the basic provisions annexed thereto.

- Decree Law No. 44,892 of 20 February 1963, published in the "Suplemento" to the "Diario do Governo" of 20 February 1963 (pages 190 to 192), which authorizes the Government, through the Ministry for Overseas Territories, to negotiate a contract in the name of the State, with the "Banco de Angola", according to the basic provisions annexed thereto.

- Decree No. 44,893 of 20 February 1963, published in the "Suplemento" to the "Diario do Governo" of 20 February 1963 (pages 192 to 194), which establishes the system to apply to imports and exports of private capital between the overseas provinces and foreign countries.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 196 to 200), which establishes the governing principles to apply to exchange transactions carried out in the European territories of Portugal.

- Ministerial Order of 21 February 1963, published in the "Diario de Governo" of the same date (pages 201 to 206), which establishes the governing principles to apply to interterritorial payments transactions, as defined in Article 1 of Decree Law No. 44,701.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 206 to 209), which authorizes publication of lists of liberalized current invisible transactions between the national territories.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 209 to 210), which authorizes publication of lists of liberalized private capital import and export transactions between national territories.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 210 to 214), which establishes the governing principles to apply to exchange transactions carried out in the overseas provinces.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 214 and 215), which authorizes publication of lists of liberalized current invisible transactions between the overseas provinces and third countries which are members of the OECD.

- Ministerial Order of 21 February 1963, published in the "Diario do Governo" of the same date (pages 215 and 216), which authorizes publication of lists of liberalized private capital transactions between the overseas provinces and third countries which are members of the OECD.

In addition, the Portuguese delegation has transmitted to the secretariat a French translation of Decree Laws Nos. 44,507¹ and 44,508² of 14 August 1962 and of the Declaration of 2 October 1962³, which were mentioned in document L/1957 (texts 8, 9 and 10).

The delegation has stated that because of the difficulty of translating the descriptions of certain products, only the Portuguese text of the above-mentioned Decree Laws and Declaration should be considered as authentic.

¹See Annex I.

²See Annex II.

³See Annex III.

ANNEX I

Decree Law No. 44,507

This Decree Law is designed to implement the provisions of Chapter IV of Decree Law No. 44,016 with respect to quantitative restrictions imposed on the circulation of goods of national origin within the Portuguese territory.

These restrictions must, like customs duties, be progressively eliminated so that national products can be assured of a wide and stable internal market.

The restrictions still maintained, whether on the continent and in the adjacent islands, or in the overseas provinces, are justified by the need to enable producing industries which are essential to the region in which they are situated to convert and reorganize themselves so as to be able to face competition from similar national productions.

Provision is also made, but accompanied by all appropriate precautions, for the introduction of quantitative restrictions as an exceptional and temporary measure in the event that the balance-of-payments situation of a particular region so requires. In such case, having regard to the fellow-feeling which unites all the provinces, the other regions would undoubtedly have to aid the territory to overcome its difficulties, for example by increasing purchases and by restricting sales of non-essential products. There are grounds for hoping, however, that because of the firm guidance given by the authorities responsible in each territory for the conduct of trade with third countries, and due also to the possibility of drawing on the Monetary Fund of the Escudos Area (a possibility which has just been created), situations of this kind will occur only very rarely; they should therefore not have any appreciable effect on the expansion of trade in national products within the Portuguese territory, such expansion being necessary for the development and progress of the national economy, and in particular that of the less-developed regions.

In these circumstances,

Acting under the authority conferred upon us by Article 109, number 2, part I, of the Constitution, the Government decrees, and I, President of the Republic, hereby promulgate the following provisions which shall be legally enforceable:

Article 1. The abolition of quantitative restrictions on trade between the national territories, pursuant to the provisions of Chapter IV of Decree Law 44,016 of 8 November 1961, implies:

- (a) the elimination of the licensing system for imports and exports of goods of national origin;
- (b) the elimination of all legal provisions and administrative procedures which, on any national territory, are designed to limit directly or indirectly the quantities or qualities of goods of national origin imported from other national territories or exported to other national territories;
- (c) with respect to goods the production or marketing of which is directed or influenced in any appreciable manner pursuant to legal provisions, whether directly or indirectly, by economic co-ordination institutions, corporate bodies or undertakings enjoying special privileges, the abolition of all practices and procedures on the part of such bodies and undertakings which are designed to establish limitations on quantities or qualities, whether at the stage of purchase, production or sale of any particular product of national origin, except to the extent that such limitations are applied on the basis of criteria which have been harmonized for the Portuguese territories as a whole.

Article 2. Apart from the cases referred to in Article 23 of Decree Law No. 44,016, the provisions of Chapter IV of the present Decree Law shall not apply to quantitative restrictions on trade in goods which may be:

- (a) required on account of serious balance-of-payments difficulties in a particular territory, and in such case the restrictions may be established only by a decision of the Council of Ministers for Economic Affairs, for a specified period and after consultation of the competent authorities, in particular the Board of Governors of the Monetary Fund of the Escudo Area;
- (b) required for the protection and conservation of objects of artistic, historic, archeological, ethnographic or scientific value;
- (c) necessary for the prevention of practices which might give rise to misunderstanding;
- (d) designed to assure the balanced utilization of rural, forest, animal and fishery resources, provided that in any territory where such restrictions exist, equivalent restrictions shall be applied simultaneously with respect to local production;
- (e) relating to gold, silver or currency, bonds and securities;
- (f) designed to prevent any evasion of the restrictions maintained in a particular territory as regard exports to third countries, by means of re-exportation via other territories;
- (g) essential to ensure stability of supply as regards essential foodstuffs, in order to avoid severe local shortages in specified areas.

Article 3. Quantitative restrictions maintained or introduced on importation or exportation, as between the various territories, of goods of national origin, pursuant to Article 23 of Decree Law No. 44,016 or to the provisions of the preceding Article, shall not serve as a means of discrimination as between the various territories nor as disguised protection for the producing activities of any of these territories to the detriment of others.

Article 4. Goods of national origin on which quantitative restrictions on import from or export to other territories are maintained or introduced in a particular territory in pursuance of Article 23 of Decree Law No. 44,016 shall be indicated in lists to be published in the Official Gazette and in the Official Bulletin of the overseas provinces.

Paragraph 1. The lists to be published pursuant to this Article shall show, for each product, a brief description of the nature of the restrictions applicable to such product and the reasons on which the restrictions are based.

Paragraph 2. The Secretary of State for Commerce, on the continent and in the adjacent islands, and the governors-general or governors, in the overseas provinces, shall be responsible for publication of the lists of quantitative restrictions at present in force as referred to in this Article.

Paragraph 3. Amendments to the lists mentioned in this Article may be made, after consultation of the body mentioned in Article 55 of Decree Law No. 44,016, by decision of the Secretary of State for Commerce or by joint decision of the Secretary of State for Commerce and the Minister or Secretary of State who has proposed such amendment, on the continent and in the adjacent islands, or by decision of the governors-general or the governors, in the overseas provinces.

Article 5. Subject to the provisions of Article 23 of Decree Law No. 44,016 and Article 2 of the present Decree Law, all quantitative restrictions on imports into the continent and the adjacent islands of goods originating in the overseas provinces shall be eliminated with effect from 15 August 1962, with the exception of restrictions relating to the following goods:

- (a) sugar, when imported into the adjacent islands only;
- (b) alcohol and spirits, when imported in containers of a capacity of more than 2 litres;
- (c) rice, when imported into the continent, with the exception of prime quality rice; such rice being the "agulha" type, having the same characteristics and percentage of broken as are authorized in Mozambique for "extra" type rice, according to the classification and method used pursuant to the Official Gazette of Mozambique No. 27, third series, of 8 July 1961. Studies shall be made before 31 March 1963 with a view to harmonizing the criteria for the whole of the national territory;

(d) maize and maize flour, except maize admitted under the drawback system for processing and which it is intended for the island of Madeira;

(e) groundnuts and groundnut oil, pending studies in order to reconcile, at national level, the interests of producers of seeds and oils, in accordance with paragraph 2;

(f) manufactured tobacco, imports of which shall be suspended pending promulgation of the necessary fiscal harmonization measures, pursuant to Chapter V of Decree Law No. 44,016.

(g) mineral fuel oils, imports of which shall, without prejudice to the provisions of Article 20 of Decree Law No. 44,016, continue to be subject to a permit system pursuant to the legislation in force, until such time as the problem of petroleum refining has been studied and reviewed in the entire national territory.

Paragraph 1. Annual quotas shall be opened on the continent, the initial amounts to be as follows:

- (a) maize, 25,000 tons;
- (b) alcohol, 1,000,000 litres;
- (c) blanched rice (or its equivalent, semi-prepared and not husked) and brokens (in tons):

1962 3,000

1963 6,000

As from 1964 the amount of the quota shall be not less than 20,000 tons.

- (d) "mancarra" groundnuts produced in Guinea: the entire production.

Paragraph 2. Not later than 31 December 1963, the Government shall cause a study to be made of problems of trade and competition between the various national territories with respect to sugar, alcohol and spirits imported in containers of a capacity of more than 2 litres, rice, maize and maize flour, groundnuts and groundnut oil, with a view to determining to what extent the quantitative restrictions maintained pursuant to sub-paragraphs(a) and (c) of this Article can be replaced by measures pursuant to the provisions of Chapter VII of Decree Law No. 44,016 or can be progressively relaxed and gradually eliminated, pursuant to Article 19 of the same Decree Law.

Paragraph 3. The Government shall determine, not later than 31 December 1962, the promulgation of the principal fiscal harmonization measures concerning imports into the continent and the adjacent islands of manufactured tobacco of overseas origin, so that as from that date the quantitative restrictions introduced pursuant to sub-paragraph(f) of this Article are eliminated.

Article 6. Subject to the provisions of Article 23 of Decree Law No. 44,016 and Article 2 of this Decree Law, all quantitative export restrictions shall be eliminated with effect from 15 August 1962 in respect of goods of national origin consigned to the overseas provinces from the continental territory and the adjacent islands.

Article 7. Subject to the provisions of Article 23 of Decree Law No. 44,016 and Article 2 of this Decree Law, all quantitative import restrictions in force in each of the overseas provinces with respect to goods originating in the other national territories shall be eliminated with effect from 15 August 1962, with the exception of those concerning the following products:

I. In Angola:

- (a) electrical conductors;
- (b) ballasts for fluorescent lamps;
- (c) fuels.

II. In Mozambique:

- (a) margarine and fats of the ghee type;
- (b) cotton wool;
- (c) electrical conductors;
- (d) bottles, demijohns and bricks of glass;
- (e) cotton knit goods and the like;
- (f) fuels.

Paragraph 1. An annual quota of 1,000 ballasts is henceforth opened in Angola.

Paragraph 2. In Mozambique, the following annual quotas are opened in (metric tons):

- (a) cotton wool: 1962
- (b) margarine and fats of the ghee type:

Paragraph 3. Not later than 31 December 1963 the Government shall carry out the study referred to in Article 5, paragraph 2, of this Decree Law concerning goods subject to quantitative restrictions, pursuant to this Article.

Article 8. Having regard to the special circumstances pertaining to the production and marketing of some primary products in the overseas provinces, the quantitative restrictions on exports at present existing in each of the said provinces may be maintained until 31 December 1963.

This Decree shall enter into force immediately.

Lisbon, 14 August 1962.

ANNEX II

Decree Law No. 44,508

Having regard to the provisions of Articles 10 and 13 of Decree Law No. 44,016 of 8 November 1961;

Acting under the authority conferred upon us by Article 109, No. 2 of the Constitution, the Government decrees and I, President of the Republic, promulgate the following provisions to be legally enforceable:

Sole article. With effect from 1 January 1963, the goods included in the list annexed to this Decree Law which, when originating in the overseas territories, comply with the requirements set forth in Article 9 of Decree Law No. 44,016 of 8 November 1961, shall be exempt from customs duties upon importation into the continent and the adjacent islands.

This Decree shall enter into force immediately.

Lisbon, 14 August 1962.

List of Products Exempt from Duty With Effect from 1 January 1963,
Pursuant to Article 10(b) of Decree Law No. 44,014
of 8 November 1961

- 03.01 Fish, fresh (live or dead), chilled or frozen:
 - 01 Imported during the months of September to January
 - 02 Imported during the other months
- 03.03 Crustaceans and molluscs, whether or not shelled, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans in shell, simply boiled in water
- 07.06.01 Manioc root
- 09.04 Pepper (of the genus "Piper"); pimiento (of the genus "Capsicum" or the genus "Pimenta")
- 09.06 Cinnamon and cinnamon tree flowers
- 09.10.02 Spices, not specified
- 12.01 Oilseeds and oleaginous fruit, whole or broken
 - ex 01 Of cotton seed, carap nuts, palm kernels, linseed, mafura seeds and pulza seeds; capra
 - 05 Not specified.
- 14.02.01 Kapok
- 15.04 Fats and oils, of fish and marine mammals, whether or not refined
 - 02 Fats and oils, not specified
- 15.07.04 Palm oil, crude.
- 15.15 Beeswax and other insect waxes, whether or not coloured
- 18.01 Cocoa beans, whole or broken, raw or roasted
- 20.06 Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit
 - ex 02 Carap nuts, roasted, whether or not with added condiments.

- 23.01 Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves.
- 23.02 Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables.
- 23.04 Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils.
- 23.07 Sweetened forage; other preparations of a kind used in animal feeding.
- 25.32 Mineral substances not elsewhere specified or included; broken pottery.
- 32.01 Tanning extracts of vegetable origin.
- 40.01 Natural rubber, balata, guttapercha and similar natural gums, raw (including latex, whether or not stabilized):
 - 01 Sheets, not further processed than smoked.
 - 04 Other.
- 41.01 Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool:
 - 01 Fresh (green).
 - 02 Sheepskins, dried, covered with white wool.
 - 03 Dried, not specified.
- 44.04 Wood, roughly squared or half-squared, but not further manufactured.
- 44.05 Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm.;
 - 01 Of a thickness exceeding 75 mm. and a minimum width of 25 cm.
 - 02 Of a thickness exceeding 75 mm. and a width of less than 25 mm.
 - 03 Of a thickness exceeding 35 mm. but not 75 mm.
 - 04 Of a thickness exceeding 15 mm. but not 35 mm.
- 53.01.01 Sheep's or lambs' wool, not carded or combed, greasy, white.

- 55.01.01 Cotton, not carded or combed, not dyed
- 57.04 Other vegetable textile fibres, raw or processed but not spun;
waste of such fibres (including pulled or garnetted rags
or ropes):
 - 01 Coir
 - 03 Sisal and other agave fibres
- 57.07 Yarn of other vegetable textile fibres:
 - 01 Coir
 - 02 Not specified
- 73.03 Scrap and waste metal of iron or steel
- 74.01 Copper matte; unwrought copper (refined or not); copper
waste and scrap:
 - 01 Copper matte
 - 02 Unwrought copper, unrefined
 - 04 Not specified
- 78.01.03 Lead waste and scrap

ANNEX III

Declaration

In pursuance of Article 4, paragraph 2 of Decree Law No.44,507 of 14 August 1962 the following is the list of goods subject to prohibition or special packaging regulations upon import or export, as approved by decision of His Excellency the Secretary of State for Commerce on 29 September 1962.

I. Prohibited imports

Product	Justification	Remarks
1 - Boxes or bales unitized or bound together, bearing the same mark and containing different kinds of goods or, if containing the same kind of goods, when not accompanied by a declaration giving the number and total weight of the unitized boxes or bales (Article 50 of the Preliminary Instructions to the import tariff).	23 (c)	Customs regulation.
2 - Books being Portuguese copyright, if constituting pirate editions (Article 50 of the Preliminary Instructions to the import tariff).	23 (d)	
3 - Foodstuffs containing saccharine or similar substances (Article 50 of the Preliminary Instructions to the import tariff).	23 (b) 2 (b)	In the consumer's interest, it is desirable to avoid any substitution of saccharine for sugar in certain products, the former being an inert substance.
4 - Pornographic objects, photographs, cinematographic films, drawings and texts (Article 50 of the Preliminary Instructions to the import tariff).	23 (a)	

Product	Justification	Remarks
5 - Imitations of postage stamps in use in Portugal (Article 50 of the Preliminary Instructions to the import tariff).	2 (b) and (d)	
6 - Essences for the production of imitations of regional wines (Article 50 of the Preliminary Instructions to the import tariff).	23 (c) and (d)	
7 - Medicaments and foodstuffs injurious to public health (Article 50 of the Preliminary Instructions to the import tariff).	23 (b)	
8 - Objects, books, printed matter, photographs, cinematographic films, drawings and text deemed to be harmful to the institutions of Portugal or to public order (Article 51 of the Preliminary Instructions to the import tariff).	23 (a)	Imports may be prohibited by the Government.
9 - Weapons considered to be prohibited weapons (Decree Law No.37,313 of 21 February 1949).	23 (a)	
10 - Traps and similar devices of any kind except lures and nets (Decree No.23,461 of 17 January 1954 and Decree No.37,313 of 21 February 1949).	2 (c)	

Product	Justification	Remarks
11 - Fuses (Decree No.10,838 of 9 June 1925).	23 (e)	Product coming under the special régime for matches.
12 - In the district of Funchal: embroidery identical or similar to Madeira embroidery whether domestic or foreign, finished or not (Decree Law No.25,643 of 27 July 1935).	23 (c) 2 (b)	This is designed to protect the authenticity of Madeira embroidery and to prevent embroidery made entirely or partly in other countries from being sold as Madeira embroidery.
13 - Elm trees (Decree No.22,389 of 29 March 1933).	23 (b)	This is designed to prevent the introduction into the country of the fungus graphium Ulmi.
14 - Macaroni, spaghetti and similar products, coloured (Order No. 11,996 of 20 August 1947).	23 (b) and (c)	-
15 - Goods other than fish when transported on boats of a tonnage of 200 tons or less (Decree Law No.42,923 of 14 April 1960).	23 (c) and (e)	Reasons of customs control.

Note: In the column "Justification" in the above list, number 23 refers to Article 23 of Decree Law No.44,016 of 8 November 1961, and number 2 refers to Article 2 of Decree Law No.44,507 of 14 August 1962.

II. Special Packaging Regulations for Imports

Product	Justification	Remarks
1 - Saccharine and similar products (Decree Nos. 7,418 of 26 March 1921 and 19,331 of 6 February 1931).	23 (b) 2 (b)	Imports may only be effected by pharmacies and authorized laboratories. It is desirable in the consumer's interest to avoid any substitution of saccharine for sugar in certain products, the former being an inert substance.
2 - Fertilizers (Decree No.21,204 of 4 May 1932)	23 (e)	A recommendation by the Inspectorate General of Agricultural and Industrial Products is required. Imported fertilizers must present the same characteristics as domestic fertilizers.
3 - White phosphorous, amorphous phosphorous and phosphoric fuses (Decree No.10,838 of 9 June 1925).	23 (a) and (e)	White phosphorous may be imported by the Army Arsenal. Raw materials for the manufacture of matches may be imported only by officially recognized undertakings with the authorization of the Inspectorate General of Matches. These restrictions are justified on grounds of security and the special régime governing the match industry.
4 - Cereals and vegetables for sowing (Decree No.38,835 of 19 July 1952).	23 (b) and (c)	In order to guarantee the quality of seeds and prevent the introduction of diseases or pests affecting vegetables, trade in grain and vegetable seed is supervised and controlled by the Agricultural Department.

Product	Justification	Remarks
4 - (continued)		Wheat for sowing may be imported only by the National Federation of Wheat Producers and by the agricultural unions or other associations, subject to ministerial permit, or directly by the Central Agrarian Unit, in the case of wheat for experimental cultivation.
5 - Pharmaceutical specialties (Decree Laws No.36,607 of 24 November 1947 and 41,448 of 18 December 1957).	23 (b)	Measures to protect public health, applying to domestic and imported products alike.
6 - Animals, animal products and animal waste; cattle fodder (Decree Laws No. 28,467 of 14 February 1938 and 41,364 of 14 November 1957).	23 (b)	These products may be imported only subject to favourable recommendation from the competent veterinary service. Waste and products of animal or vegetable origin which are liable to transmit contagious diseases are subject to the same conditions.
7 - Seeds, plants and parts of plants for growing (Decrees No.22,389 of 29 March 1933, 39,782 of 23 August 1952, and 39,137 of 26 March 1953).	23 (b)	Trade in these products is subject to certain rules, designed to protect vegetable health.
8 - Medicaments of a secret composition which have not been duly registered, likewise those with no labelled indication of the active substance or substances contained therein.	23 (b)	Imports are subject to Health Department permit.

Product	Justification	Remarks
9 - Roulette and other games prohibited by law (Decreets No.14,643 of 3 December 1927 and 21,968 of 12 December 1932).	23 (e)	Special regulations on games of chance.
10 - Military arms and ammunition, weapons designed for interior decoration, of historical value or as collectors' pieces, weapons for self-defence, for hunting, for precision or recreation and ammunition therefor (Decree No.37,313 of 21 February 1949).	23 (a)	Import permits must be requested from the Headquarters of the Public Security Police.
11 - Explosive substances (Decreets No.36,085 of 31 December 1946 and 37,925 of 1 August 1950).	23 (a)	An import permit must be requested from the Headquarters of the Public Security Police which grants it, or not, after consulting the Explosives Commission, whose recommendation is based solely on reasons of security.
12 - Chlorates and perchlorates, picric acid or picrate (Decree No.37,925 of 1 August 1950).	23 (a)	May be imported only by the Military Laboratory for Chemical and Pharmaceutical Products.
13 - Dogs (Decree No.11,242 of 29 October 1925).	23 (b)	Importation subject to proof of vaccination within the past year, with the exception of dogs accompanying travellers which may remain in the charge of their owners pending health examination, provided the said owners undertake to keep the dogs isolated until such examination has been carried out by the Veterinary Department.

Product	Justification	Remarks
14 - Narcotic drugs (Decree No.12,210 of 24 August 1926).	23 (b)	Importers must be duly registered. Imports are subject to Health Department permit.
15 - Radioactive ores (Decree No.41,995 of 5 December 1958).	23 (a) and (e)	The Nuclear Energy Committee makes recommendations to the government on production and trade, whether internal or external, in the raw materials which it considers necessary for nuclear energy research and use.
16 - Cinematographic films (Article 58 of the Preliminary Instructions to the import tariff).	23 (a) and (e)	Subject to censorship by the Inspectorate General of Public Entertainment.
17 - In Madeira, regional ordinary and table wines (Decree No.18,041 of 28 February 1930).	23 (c)	Regional bottled wines must be accompanied by a certificate of origin. Wines not in bottles are subject to quota. The purpose is to guarantee the authenticity of Madeira wines.
18 - Potatoes, in particular seed potatoes (Decree No.36,665 of 10 December 1947).	23 (b)	Upon importation, seed potatoes must be accompanied by a certificate of authenticity, purity and vigour. Seed and ware potatoes must be submitted for inspection to the Phytopathological Office.
19 - Artificially coloured foodstuffs (Decrees No.18,186 of 26 March 1930, 35,815 of 19 August 1946 and 35,818 of 20 August 1946, and Orders No.6,813 of 28 March 1930 and 8,365 of 20 February 1936).	23 (b), (c) and (e)	The addition of colouring matter to foodstuffs is regulated in order to protect public health and consumption. Imported products are subject to these regulations which also apply to domestic production. This is essentially a measure to guarantee quality and protect public health.

Product	Justification	Remarks
20 - Margarine (Decreets No.18,348 of 17 May 1930, 18,986 of 30 October 1930 and 37,171 of 15 April 1953).	23 (c) and (e)	Regulations govern the composition and legal characteristics of margarine produced in Portuguese continental territory. Imported margarine is subject to the same regulations. This is therefore essentially a measure to guarantee quality.
21 - Fruit (Decree No.22,389 of 29 March 1933).	23 (b)	Imports of fruit are only permitted if entirely free of cochineal insects, particularly the St. Joseph's scale insect.
22 - Gold bars and coin (Decree Law No.52,078 of 11 June 1942).	2 (d)	May be imported only by the Bank of Portugal.
23 - Oysters (Decree No. 19,242 of 5 January 1931).	23 (b) and (c)	A health certificate is required and the Health Department must be consulted.
24 - Green tea (Article 58 of the Preliminary Instructions to the import tariff).	23 (b)	Importation of this product is subject to a certificate issued by the Inspectorate General of Agricultural and Industrial Products, and to verification of the absence of any substances injurious to public health.
25 - Tomatoes and aubergines (Decree No.22,389 of 29 March 1933).	23 (b)	Health certificates are required.
26 - Parrots and other Psittacidae (Decree No.21,674 of 19 September 1932).	23 (b)	Importation authorized only in special cases. This is a measure to prevent psittacosis.

Product	Justification	Remarks
27 - Products referred to in Articles 31 and 138, respectively, of the Regulation of 7 February 1889 and Decree No. 4,249 of 8 May 1918; fresh and salted fish, leather, suet and dried meat (Decree No.16,130 of 9 November 1928).	23 (b)	When not accompanied by a health certificate, these products are subject to inspection by the Veterinary Department.
28 - Preservative and colouring products for foodstuffs (Decrees No.35,815 of 19 August 1946, 35,818 of 20 August 1946 and Order No.14,130 of 17 October 1952).	23 (b) and (c)	Certain characteristics are required in order to guarantee the quality of products and to protect public health.
29 - Homing pigeons (Decree Law No.36,767 of 26 February 1948).	23 (a) and (b)	Importation is subject to prior permit from the Veterinary Department, which inspects the birds. Applications for such permits are submitted through the intermediary of the Portuguese Colombophilic Federation which makes a recommendation as to whether or not importation is desirable.
30 - Animals for breeding (Decree No.41,109 of 14 May 1957).	23 (b) and (c)	Importation is subject to favourable recommendation by the Veterinary Department.
31 - Television receiving sets (Decree No.41,486 of 30 December 1957).	23 (e)	Importation is permitted only in the case of equipment which complies with the technical standards adopted by the national television service.
32 - Watches and articles of gold and silver (Decree No.20,740 of 11 January 1952).	23 (e)	Imported products may be offered for sale only if they bear the hall-mark required for similar domestic products, with the respective tolerances.

Product	Justification	Remarks
33 - In the Algarve, shelled almonds (Law No.1,704 of 19 December 1924, and subsequent legislation).	23 (c)	In the Algarve, imports of almonds, shelled or not, are prohibited. Shipments of these products by coastal trade to Algarve ports is prohibited, likewise transport by rail; the movement of almonds, whether or not shelled, on roads leading to the Algarve is prohibited. The purpose is to guarantee the authenticity of almonds originating in the Algarve.

Note: In the column "Justification" in the above list, number 23 refers to Article 23 of Decree Law No.44,016 of 8 November 1961, and number 2 refers to Article 2 of Decree Law No.44,507 of 14 August 1962.

III. Prohibited Exports

Product	Justification	Remarks
1 - Weapons of historical or artistic value (Decree No.18,754 of 16 August 1930).	2 (a)	
2 - Fabrics bearing stamped transfer designs of Funchal (Decree No. 25,643 of 20 July 1935).	23 (c) and (d)	Measure designed to guarantee the quality of Madeira embroideries, by preventing exports of fabrics with transfer designs for embroidery outside the island and sale as if they had been embroidered in Madeira.
3 - Cork, unworked (Decree No.7,875 of 6 December 1921).	23 (c)	Measure applying only to cork other than virgin cork, in order to ensure the high quality of exported cork.
4 - Cork less than nine years of age (Ministerial Orders of 27 December 1954 and 31 December 1955).	23 (c) 2 (c)	Measure designed to protect cork-oaks from the greed of unscrupulous proprietors, particularly in periods when prices are high.
5 - Virgin cork from growth cuttings (various ministerial decisions, the most recent one having been published in the Official Gazette of 3 January 1956).	2 (c)	Measure designed to protect trees against excessive growth cutting.

Note: In the column "Justification" in the above list, number 23 refers to Article 23 of Decree Law No.44,016 of 8 November 1961, and number 2 refers to Article 2 of Decree Law No.44,507 of 14 August 1962.

IV. Special Packaging Regulations for Export

Product	Justification	Remarks
1 - Whole phosphorous (Ministerial Decisions of 19 July 1961).	23 (a)	Prior permit.
2 - Wool (Order No.12,393 of 18 May 1948).	23 (c)	The National Animal Products Board examines export shipments and rejects those which do not correspond to the standard sample or which, because of poor presentation or preparation, are liable to impair prestige on external markets.
3 - Fish meal and guano or other products based on fish meal (Ministerial Decision published in the Official Gazette of 15 September 1955).	23 (c)	For reasons of quality control, export applications must be submitted, together with an analysis sheet for each consignment to be exported, issued by an official laboratory.
4 - Resinous products (Decrees No.29,733 of 5 July 1939, 27,001 of 12 September 1936, 28,294 of 21 December 1937, 39,651 of 14 May 1954 and subsequent legislation).	23 (c)	The National Resinous Products Board does not allow exports of products which fail to comply with the characteristics and conditions laid down in the various packaging regulations. This is a matter of standards for classification, quality and packaging.
5 - Dairy products in the district of Horta (Decrees No.18,586 of 10 July 1930 and 19,168 of 24 December 1930).	23 (c)	Exportation is subject to the guarantees required by law and must take place through an association of producers and merchants established for that purpose.
5 - Homing pigeons (Decree Laws No.36,767 of 26 February 1948 and 37,469 of 5 July 1949).	23 (a), (b) and (c)	The existence of homing pigeons is under regulation as regards owners and dealers. The latter must belong to the Colombophilic Association.

Product	Justification	Remarks
7 - Wines and derived products (various special legislation, e.g. Decree Law No. 23,828 of 7 May 1934).	23 (c)	Products for export must comply with a set of quality characteristics.
8 - Oysters and shellfish (Decree No.40,785 of 25 September 1956 and Order No.16,121 of 2 January 1957).	2 (c)	Exportation of sea shellfish is subject to favourable recommendation by the Standing Commission on Malacology. These are health measures designed to prevent the destruction or impairment of shellfish beds or preserves.
9 - Lobsters and crayfish in the Azores (Decreets of 10 May 1897 and No.9,812 of 17 June 1924).	2 (c)	The first decree prohibits exports from 1 October to 31 December; the second authorizes exports at any time of the year. With respect to the Azores, however, the period of protection has been reintroduced under Circular No.11 of 25 February 1950.
10 - Military weapons and ammunition, explosives (Decree No.37,313 of 21 February 1949).	23 (a)	Exports are subject to permit issued by the Headquarters of the Public Security Police.
11 - Spirits (Decree No.18,822 of 29 August 1930 and Decree Laws No.23,828 of 7 May 1934 and 25,509 of 15 June 1935).	23 (c)	This measure is designed to ensure the authenticity and purity of domestic spirits. Accordingly, standards of quality and alcoholic content are established for spirits for export.
12 - Butter, in Madeira (Decree No.26,655 of 4 June 1936 and Decree Law No.31,750 of 13 October 1941).	23 (c)	Special requirements relating to quality and packaging.

Product	Justification	Remarks
13 - Preserved fish (Decree Laws No.26,776 of 10 July 1936 and 26,777 of 10 July 1936, and Order No.9,941 of 28 November 1941).	23 (c)	Exports of these products are subject to prior quality inspection by the Portuguese Preserved Fish Institute which has full discretionary powers to authorize consignments and issue quality certificates.
14 - Fruit and vegetables (various special legislation since 1931).	23 (c)	Criteria as to quality, packaging etc. are set for exports of these products, subject to inspection by the National Fruit Board.
15 - Narcotic drugs (Decree No.12,210 of 24 August 1926).	23 (b)	Prior authorization from the Health Department.
16 - Seeds of the species and the varieties indicated in the list annexed to Decree Law No.38,835 of 19 July 1952, as replaced by the Declaration published in the Official Gazette of 19 January 1959.	23 (c)	Seeds for export may be shipped only if they meet the requirements of the Regulation on Grain Trade and if they are accompanied by a written guarantee from the Seed Experimental Service, such guarantee to be requested by the consigner.
17 - Radioactive ores, concentrates and substances extracted from such ores (Decree Law No.41,995 of 5 December 1958).	23 (a) and (e)	Internal and external trade in raw materials considered as necessary for the study or use of nuclear energy is subject to recommendation and approval by the Nuclear Energy Committee.
18 - Fig paste (Decree No. 40,723 of 2 August 1956).	23 (c)	Fig paste may only be exported by merchants belonging to an export association for fruit and vegetables. The manufacture of fig paste is subject to special standards which are also applicable to fig paste for export.

Product	Justification	Remarks
19 - Animals and biological media intended for zoo-technical improvements (Decree Law No. 39,561 of 13 March 1954).	23 (b)	The Veterinary Department makes a recommendation on the importation on animals or other biological media intended for zoo-technical improvements.
20 - Fertilizers (Decree No. 41,109 of 14 May 1957).	23 (b)	Exportation of fertilizers is subject to permit from the Veterinary Department which issues the documents required under international recommendations or by the country of origin.
21 - Early merino sheep (Order No.18,373 of 31 March 1961).	23 (c)	A certificate of origin is required for exportation (document proving that the animal is duly registered in the Portuguese Stud Book of the "Early Merino" race. In the case of animals for export which are still below the age for registration in the Adult Book, certificates of origin are issued after examination and approval, according to the Stud Book, and the animals have been officially marked.
22 - Miranda cattle for breeding (Order No.17,132 of 22 April 1959).	23 (c)	See No. 18.
23 - Alentejana swine for breeding (Order No. 17,133 of 22 April 1959).	23 (c)	See No. 18.
24 - Lusitanian or Spanish horses for breeding (Order No.17,177 of 20 May 1959).	23 (c)	See No. 18.

Product	Justification	Remarks
25 - Friesian cattle for breeding (Order No. 17,175 of 19 May 1959).	23 (c)	See No. 18.
26 - Containers used for the export of alcoholic beverages (Decreets No.42,808 of 16 January 1960 and 43,078 of 18 July 1960).	23 (c)	The regulations of the cask-making industry required that only containers bearing the manufacturer's registered trademark may be used for the exportation of alcoholic beverages.
27 - Groundnuts, in the island of São Miguel (Decreets No.40,082 of 9 March 1955 and 40,842 of 3 November 1956).	23 (c)	Exporters must belong to the Association of Fruit and Vegetable Exporters of São Miguel. Exportation is subject to the issue of a certificate by the local office of the National Fruit Board of São Miguel, which examines the characteristics of the product and the packaging.
28 - Wood (Decree No.31,974 of 16 April 1942 and Order No.16,562 of 25 January 1958).	23 (c) 2 (c)	Exportation is subject to inspection and control as regards quality and quantity by the Association of Wood Exporters.
29 - Forest products originating in autonomous districts of the adjacent islands (Decree Law No.42,935 of 21 April 1960).	2 (c)	Exportation is subject to a favourable recommendation by the regional forest administration concerned.
30 - Wood of cryptomeria originating in the district of Ponta Delgada (Decree No. 36,966 of 13 July 1948).	2 (c)	The exportation of existing stands for domestic consumption and for export is regulated in order to avoid any reduction of forest acreage in the district of Ponta Delgada.

Product	Justification	Remarks
31 - Margarine (Decree Law No.42,354 of 2 July 1959).	23 (c)	The manufacture and marketing of margarine are regulated by law. As regards packaging, margarine may be sold to the public only in sealed packages put up in the factories, of a net weight of 1 kg., 500 g., 250 g. and 150 g.; margarine intended for retail sale in Portuguese overseas provinces may be put up in packages of 10 kg. Those intended for industry may be delivered by the factories in packages of 5 kg. and 10 kg. provided the margarine is free of artificial colouring.
32 - Essential oils (Decree No. 42,474 of 26 August 1959).	23 (c)	Exportation of essential oils is subject to the issue of an analysis bulletin by the Inspectorate General of Agricultural and Industrial Products.
33 - Tannery products (Order No.15,557 of 4 September 1955).	23 (c)	Tannery products intended for export must bear the indication "Fabricado em Portugal"; the factory trademark may be replaced by the manufacturer's registration number assigned to him by the National Board on Animal Products.
34 - Fodder products of animal origin (Decree Law 41,364 of 14 November 1957).	23 (b) and (c)	Exportation of fodder products of animal origin is permitted only if a certificate of origin and health, issued by the Veterinary Department, is presented to the customs authorities.
35 - Cinematographic films (Circular 1,855 of 21 May 1934 of the Customs Department).	23 (a)	By ministerial order, cinematographic films require documentary proof that they have been censored by the Inspectorate General of Public Entertainment.

Product	Justification	Remarks
36 - Moveable property appropriate for inclusion in the State inventory on account of their artistic, archeological or numismatic value. (Decree No. 20,985, of 7 March 1932).	2 (a)	Private persons or associations possessing such objects in whatever manner may not dispose of them or export them without a prior permit from the Ministry of Education; the latter has the prior option of purchasing.
37 - Portuguese illuminated manuscripts and incunabula, foreign xylographical and paleotypical items, cartularies and other manuscripts, membranous or bound with paper board; parchments and loose papers of diplomatic, paleographical or historical interest, books and pamphlets considered as being rare or precious on account of their ornamentation or simply because of their value as collectors' items (Decree No.20,586 of 27 November 1931).	2 (a)	Proprietors of such items may not export them without prior permission from the Ministry of Education which, after examination by technical experts appointed by the Councils of Art and Archeology and by the Inspectorate General of Libraries and Archives, may grant or refuse an export permit for such items or may, if it desires, exercise its prior option to purchase.
38 - Gold bars or coin (Decree Laws No.32,078 of 11 June 1942 and 37,127 of 2 November 1948).	2 (d)	Gold in bars or in coin may only be imported, exported or re-exported through the intermediary of the Bank of Portugal.
39 - Currency (Decree Laws No. 32,087 of 15 June 1942 and 32,648 of 29 January 1943 and Order No.10,587 of 22 January 1944).	2 (d)	For the overseas provinces, the export of currency may be authorized by decree, subject to a favourable recommendation by the Council of Ministers. As regards currency not in circulation for numismatic purposes, trade and exportation are subject to authorization by the Minister of Finance.

Product	Justification	Remarks
40 - Virgin cork from loppings (ministerial decision of 9 March 1954, confirmed by Decision of 27 December 1954).	2 (c)	Exports of virgin cork from loppings which do not comply with the following require- ments are suspended: - they must contain not more than 10 per cent of liber; - they must be in pieces with a surface of not less than 1/8 square palmo (60 sq. centimetres); - they must be free of any impurity. The purpose is to prevent illegal exports of virgin cork from growth cuttings which cannot be distinguished from the inferior types of virgin cork from loppings.
41 - Pine seeds.	2 (c)	These may be exported only by the firms which supply this product to the Department of Waterways and Forestry and, in general, exports are permitted in quantities equi- valent to those delivered to that Department.
42 - Maize originating in the Azores (Decree Law No. 29,779 of 25 July 1939).	2 (f)	Exports are subject to permit from the Cereals Control Commission of the Azores which ensures that the maize for export will not cause any domestic shortage.

Note: In the column "Justification" in the above list, number 23 refers to Article 23 of Decree Law No. 44,016 of 8 November 1961, and number 2 refers to Article 2 of Decree Law No. 44,507 of 14 August 1962.

Economic Co-ordination Commission,
2 October 1962.

The Chairman:
Antonio Fezas Vital