GENERAL AGREEMENT ON TARIFFS AND TRADE

L/5258
27 November 1981
Limited Distribution

TURKEY - STAMP DUTY

Decision of 24 November 1981

Considering, that the CONTRACTING PARTIES, by decisions dated 20 July 1963[1/], 11 November 1967[2/], 24 August 1969[3/], 30 January 1973[4/], 3 July 1973[5/], 15 July 1975[6/], 17 April 1978[7/] and 27 November 1979[8/] waived, subject to specified terms and conditions, the provisions of paragraph 1 of Article II of the General Agreement to the extent necessary to allow the Government of Turkey to maintain as a temporary measure, a stamp duty not exceeding a specified ad valorem rate, on imports into Turkey of products included in Schedule XXXVII, until 31 December 1981;

Considering that the Government of Turkey has requested an extension of the waiver to permit the maintenance of the stamp duty until 31 December 1983;

Considering that the Government of Turkey has applied, as from 1 January 1973, the same rates of stamp duty to imports from the territories of all contracting parties, and has undertaken to do so in the future;

Noting that the incidence of the stamp duty was reduced from 25 to one per cent on 25 January 1980.

Taking note that the Government of Turkey has assured the contracting parties that a fiscal reform would soon enable it to eliminate the stamp duty completely;

The CONTRACTING PARTIES, acting pursuant to the provisions of paragraph 5 of Article XXV of the General Agreement and in accordance with the procedures adopted by them on 1 November 1956,

Decide to waive, subject to the terms and conditions specified hereunder, the provisions of paragraph 1 of Article II of the General Agreement to the extent necessary to allow the Government of Turkey to maintain, as a temporary measure, on imports into Turkey of products included in Schedule XXXVII a stamp duty.

1/ BISD 12S/55
2/ BISD 15S/90
3/ BISD 17S/28
4/ BISD 20S/31
5/ BISD 20S/32
6/ BISD 22S/13
7/ BISD 25S/12
8/ BISD 26S/228

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Terms and Conditions

1. The rate of the stamp duty shall not exceed one per cent of the value of the imported goods as assessed for the imposition of the customs duty.

2. The continued application of the stamp duty shall be accompanied by commensurate efforts by the Government of Turkey to replace it by alternative measures.

3. The Government of Turkey shall report one year from the date of this waiver on any relevant developments.

4. The Decision shall be valid until the removal of the stamp duty or until 31 December 1983, whichever date is earlier.

5. If any contracting party considers that the effect of the stamp duty maintained under this Decision is unduly restrictive and that damage to its trade is caused or threatened thereby, it may make representations to the Government of Turkey, which shall accord sympathetic consideration to such representations and afford that contracting party adequate opportunity for consultation.

6. If such consultation does not lead to satisfactory results the contracting party concerned may request the CONTRACTING PARTIES to invite Turkey to enter into consultations with them. If, as a result of these consultations with the CONTRACTING PARTIES, no agreement is reached and if they determine that the effect of the stamp duty is unduly restrictive and that serious damage to the trade of the contracting party initiating the procedure is threatened or casued thereby, the latter will be released from its obligations to apply to the trade of Turkey concessions initially negotiated with Turkey to the extent that the CONTRACTING PARTIES determine to be appropriate in the circumstances.