

GENERAL AGREEMENT ON TARIFFS AND TRADE

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PORTUGAL - IMPORT QUOTAS FOR CONSUMER GOODS

The following communication, dated 1 September 1983, has been received from the Permanent Mission of Portugal.

1. The persistence of the deficit in the Portuguese trade balance, associated with envisaged difficulties in the balance of payments during the present year, are the reasons that justify the application of the system of quotas for some consumer goods for another year.

In 1980 there was a deep deterioration in the Portuguese external accounts in relation with the previous year. In fact, whilst in 1979 the balance of current accounts was nearly off-set, a deficit of 1,2 billion \$US dollars occurred in the following year.

The results for 1981 were still worse.

2. The above referred system, introduced in 1977, was maintained, as before, on a non discriminatory and temporary basis; it aims at keeping the imports at a level in proportion with the possibilities in terms of foreign currencies.

3. This system has been extended annually, as at present, (from 1st April 1982 to 31st March 1983) by means of Government Order n° 331-A/82, reproduced as Annex I to this notification.

4. The broad lines of the system are the same from its introduction.

However, some modifications were made, of which the main was the extension to new export areas of the possibilities of getting additional quotas as a compensation for the national value added to Portuguese exports.

The list of products being the same, their value was increased to take into account the devaluation of the Portuguese Escudo.

5. The evolution of imports of less essential consumer goods under the system of quotas, as well as their ventilation by countries of origin in 1979/1981, are contained in Annex II.

ANNEX I

Portuguese System of Import Quotas For
Some Consumer Goods

Government Order Nº 331-A/82, of 31 March 1982
(Non-official translation)

Being justified to maintain for one year period the Import Quota System for some consumer goods referred to in the Government Order Nº310-D/81, of 31 March, the system will be maintained with some amendments in the rules of application.

Some modifications have been introduced in the scheme aiming at promoting the exports, in order to widen their coverage.

Having regard to the increasing number of candidates to new importers, that has led to the allocation of quotas with no commercial value, some modifications concerning the allocation of 15 per cent reserve to new importers were introduced, of which the main goal is to avoid the misuse of the reserve, as resulted from the wording of previous Orders.

Therefore, under Decree Law Nº720-A/76, of 9 October:

The Government of the Portuguese Republic through the Ministers of Finance and Planning, of Agricultural, Commerce and Fisheries and of Industry, Energy and Export, has decided the following:

Paragraph 1

As from 1 April 1982 to 31 March 1983 imports of goods on the List at Annex will be subject to the import quota system.

Paragraph 2

The Directorate General of Foreign Trade (Direcção-Geral do Comércio Externo), or other entities given powers for the granting of import licences, are empowered to allocate among importers the import quotas.

Paragraph 3

Sub-paragraph 1: the criterion to be used as basis of allocation of quotas is the amount of imports made by each importer during 1975 and 1976. The annual import quota of each product subject to the system will be equal to the product of the arithmetic average of those imports by a ratio between the value of the global quota established for each product in this Government Order and the average value of the total imports of each product during 1975 and 1976. This criterion will be applied except as otherwise provided in the following sub-paragraphs; freedom of choice as to origin markets will be maintained.

Sub-paragraph 2: Evidence of the level of imports reached during that period, to be submitted to the departments mentioned in paragraph 2 above, will have to be made by means of proper Customs clearance forms.

Sub-paragraph 3: Evidence of the levels of imports during 1975 and 1976, to be presented by each importer, shall not be required whenever the proper Customs clearance forms have al-

ready been submitted to the entities referred to in paragraph 2 above.

Sub-paragraph 4: Provisions of sub-paragraph 1 do not apply whenever:

- a) another allocation criterion is set through an enactment from the Secretary of State of Exports;
- b) they concern importers who have not imported any imports during 1975 and 1976.

Sub-paragraph 5: An amount of 15 per cent of each import quota shall be set apart for full allocation among:

- a) importers who, having imported no imports during 1975 and 1976, apply for imports of goods subject to the system;
- b) importers already covered by sub-paragraph 1 hereof provided their quotas will not in any case be lower than those of importers mentioned under (a) hereof.

Sub-paragraph 6: Applications mentioned under (a) of the preceding sub-paragraph will have to be submitted until the end of the fourth month of enforcement of this Government Order.

Sub-paragraph 7: Whenever a ministerial enactment sets out a special allocation criterion it will have to specify whether or not the 15 per cent reserve scheme applies.

Sub-paragraph 8: If, from the allocation of the 15 per cent reserve scheme results, for some goods, an individual import quota representing a reduced amount with no commercial value, the referred allocation can be canceled through a ministerial enactment.

Sub-paragraph 9: In the cases set up in the foregoing sub-paragraph, the non distributed 15 per cent reserve will be allocated to the traditional importers.

Paragraph 4

Beyond the import quotas set out in the list at Annex, authorization may be granted for additional import quotas through a previous joint enactment from the Secretaries of State of Export and Industry. The value of these additional import quotas cannot exceed the national value added to Portuguese exports:

- a) Products manufactured by the Portuguese importer to be exported to the foreign manufacturer of the product to be imported;
- b) Products manufactured by the Portuguese importer, regardless the destination country, if the compensation import product is included in the importer industrial activity area. These areas will be stated through the due Ministry of Industry, Energy and Export's Departments;
- c) Products from other national industries exported to and intended to be strictly used for industrial purposes by the foreign manufacturer that supplies the goods to be imported;
- d) Capital goods produced by national manufacturers, regardless the destination country, included in the capital goods categories to be defined through the due Ministry of Industry, Energy and Export's Departments.

Paragraph 5

For the purposes of the preceding paragraph, the necessary evidence of the export value shall be submitted to the Directorate General of Foreign Trade (Direcção-Geral do Comércio Exterior).

Paragraph 6

Any doubtful cases arising under this Order will be settled through a joint enactment from the Ministers of Finance and Planning and from the Minister of Industry, Energy and Export.

Paragraph 7

The present Government Order enters into force as from 1 April 1982.

ANNEX TO GOVERNMENT ORDER Nº 331-A/32

List of products subject to quotas
from 1st April 1982 to 31st March 1983

Portuguese tariff heading number	Product description	(1.000 Esc.)
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not	700.000
73.36	Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel	115.000
84.15	Refrigerators and refrigerating equipment (electrical and other): -Cabinets and other furniture imported with their respective refrigerating units: -Weighing up to 200 kg each	700.000
84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilising, pasteurising, steaming, drying, evaporating, vapourising, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:	
01	-Instantaneous or storage water heaters, of a kind used for domestic purposes	125.000

Portuguese tariff heading number	Product description	(1.000 Esc.)
01 } 02 } 06	-Water heaters and space heaters } -Smoothing irons and parts therefor } -Other, except stoves, cookers, ranges and similar cooking appliances, heating resistors and parts therefor	115.000 134.000
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:	
01 02	-Radio-broadcasting reception apparatus -Television reception apparatus	238.000 200.000
87.09.01 } }	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with side-cars; side-cars of all kinds: -Motor-cycles and cycles fitted with an auxiliary motor, of a cylinder capacity not exceeding 50 cc	36.000
87.10	Cycles (including delivery tricycles) not motorised:	
87.09 03 } 04/05 }	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds: -Motor-cycles and cycles fitted with an auxiliary motor, of a cylinder capacity exceeding 50 cc : -With side-cars or fitted with bodies, for other purposes than fire brigades Without side-cars or not fitted with bodies	94.000

Portuguese tariff heading number	Product description	(1.000 Esc.)
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording:	
01	Sound recording media: -Wires, strips and tapes	135.000
93.04	Other firearms, including very light pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like	190.000
93.05	Arms of other descriptions, including air, spring and similar pistols, rifles and guns	
94.01	Chairs and other seats (other than those falling within heading N994.02), whether or not convertible into beds, and parts thereof	115.000
94.03	Other furniture and parts thereof	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles and pedal motor cars); dolls' prams and dolls' push chairs	
97.02	Dolls	435.000
97.03	Other toys; working models of a kind used for recreational purposes	

COVERAGE OF IMPORT QUOTA SYSTEM FOR SOME CONSUMER GOODS

10⁶ euros

	1975			1980			1981					
	Total imports	Total under quota	Structure		Total imports	Total under quota	Structure		Total imports	Total under quota	Structure	
			Total imports	Total under quota			Total imports	Total under quota			Total imports	Total under quota
Total imports	331 927	2 971	0.90	100.00	475 486	4 053	0.85	100.00	608 966	5 597	0.92	100.00
Total under quota												
E.C.E.												
Germany	41 822	452	0.14	15.21	55 611	762	0.16	18.80	66 928	1 036	0.17	18.31
Belgium-Luxembourg	9 165	61	0.02	2.73	14 645	46	0.01	1.13	16 673	114	0.02	2.76
Netherlands	1 972	90	0.03	3.03	3 721	75	0.02	1.88	3 650	91	0.01	1.63
France	28 369	169	0.05	5.69	34 534	166	0.03	4.20	47 369	272	0.01	4.86
Ireland	11 216	334	0.04	4.51	13 562	65	0.01	1.60	17 854	127	0.02	2.27
Italy	371	2	0.00	0.07	863	2	0.00	0.05	1 683	0	0.00	0.07
United Kingdom	17 055	871	0.26	29.32	24 936	1 072	0.23	26.45	32 845	2 415	0.23	25.23
Sweden (a)	30 747	335	0.10	11.28	41 617	750	0.16	18.59	49 182	633	0.10	11.31
Total E.C.E.	149 637	3 134	0.64	71.83	188 699	2 938	0.63	72.49	233 531	3 688	0.61	65.89
EEC												
Austria	3 186	19	0.01	0.64	2 718	17	0.00	0.42	3 711	52	0.01	0.93
Finland	961	13	0.00	0.44	2 102	30	0.01	0.74	2 592	9	0.00	0.16
Ireland	1 521	-	-	-	2 537	-	-	-	4 372	-	-	-
Norway	2 139	0	0.00	0.01	2 203	3	0.00	0.07	3 404	1	0.00	0.02
Sweden	7 441	13	0.00	0.44	10 912	31	0.01	0.76	13 461	26	0.00	0.46
Switzerland	11 613	37	0.01	0.91	15 655	11	0.00	0.27	13 837	16	0.01	0.64
Total EFTA	25 858	71	0.02	2.39	36 147	92	0.02	2.27	41 377	124	0.02	2.22
Spain	19 255	289	0.09	9.73	26 145	164	0.08	6.98	40 056	571	0.09	10.29
U.S.A.	38 561	51	0.02	1.72	52 325	47	0.01	1.16	72 657	57	0.01	1.62
Japan	9 145	155	0.05	5.22	14 471	219	0.05	3.60	21 391	332	0.05	5.53
Rest of the world	88 071	271	0.08	9.12	157 699	393	0.08	9.70	169 714	825	0.14	14.74

(a) Only included in 1981.