

GENERAL AGREEMENT ON TARIFFS AND TRADE

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PORTUGAL - SYSTEM OF QUOTAS FOR SOME CONSUMER GOODS

Addendum

The following information has been notified by the Permanent Mission of Portugal.

In 1984 the Portuguese balance of payments showed a significant improvement, mainly due to the reduction of the trade imbalance. Forecasts do not point out its aggravation.

On the other hand, international undertakings by Portugal point out the need for the phasing out of the system of quotas for some consumer goods that is applied since 1977.

Besides, the accession to the European Communities on 1st January 1986 will lead Portugal to eliminate the system of quotas and other import restrictive measures implemented between 1975 and 1977 due to difficulties of the balance of payments.

Therefore the Portuguese Government decided to liberalize, from 1st April 1985 on, the imports of most consumer goods subjected to the system of quotas.

The referred system has been kept in force for a nine months period (from 1st April to 31st December 1985) for the few remaining products by means of Government Order n^o 171-A/85, of 30th March, reproduced as annex to this notification.

This system is applied, without any other changes, on a non-discriminatory basis, as previously.

Since 4th June 1985 imports of refrigerators and of refrigerating equipment included in Government Order No.171-A/85 are no longer subjected to the system of quotas.

ANNEX

Portuguese System of Import Quotas for Some
Consumer Goods

Government Order nº 171-A/85, of 30 March 1985
(Unofficial translation)

After the accession to the European Communities, Portugal will no longer apply import restrictive measures implemented between 1975 and 1977 due to difficulties of the balance of payment

As the accession date is already near and as it was considered not to liberalize the imports of all consumer goods subjected to the system of quotas by a single step, several products are excluded from this system by means of the present Government Order.

As it is foreseen that the accession will occur on 1 January 1986 the system of quotas is kept in force only for a nine months period.

Therefore, under Decree-Law nº 720-A/76, of 9 October:

The Government of the Portuguese Republic, through the Ministers of Finance and Planning, of Agriculture, of Industry and Energy and of Trade and Tourism, has decided as follows:

Paragraph 1

As from 1 April to 31 December 1985 imports of goods on the List at Annex will be subject to the import quota system.

Paragraph 2

The Directorate General of External Trade (Direcção-Geral do Comércio Externo) is empowered to allocate the import quotas among importers.

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 Directorate General of External Trade (Direcção-Geral do Comércio Externo), 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 already been submitted to the Directorate General of External Trade (Direcção-Geral do Comércio Externo).

Sub-paragraph 4: The allocation criterion foreseen in sub-paragraph 1 above does not apply:

- a) whenever another allocation criterion is set through an enactment from the Secretary of State for the External Trade, for the quota for products classified under heading 08.01;
- b) in the case of importers referred to in next sub-paragraph under (a).

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 goods subject to the quota concerned during 1975 and 1976, apply for imports of those goods during the deadline foreseen in next sub-paragraph;
- b) importers already covered by sub-paragraph 1 hereof provided that their share in that quota 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 third month of enforcement of this Government Order.

Sub-paragraph 7: Whenever an enactment by the Secretary of State for the External Trade sets out a special allocation criterion in accordance with sub-paragraph 4 (a) above, it will 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 to the importers referred to in sub-paragraph 5 (a) above, results, for certain quota, an individual share representing a reduced amount with no commercial value, the referred allocation shall be canceled, unless, exceptionnally, otherwise decided by enactment by the Secretary of State for the External Trade. For this purpose will be considered as having no commercial value the shares allocated to the importers provided that their value is less than 10 per cent of the arithmetic average of the shares of the same quota allocated in accordance with sub-paragraph 1 of this paragraph.

Sub-paragraph 9: In those cases where the 15 per cent reserve was not allocated either by the reason referred to in foregoing sub-paragraph or by lack of candidates under sub-paragraph 5 (a) of this paragraph, the shares, calculated in accor-

dance with sub-paragraph 1 of this paragraph, will not be reduced from 15 per cent of their value.

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 by the Secretaries of State for the External Trade and for 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 and Energy'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 and Energy's Departments.

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

Paragraph 6

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

Paragraph 7

The present Government Order produces its effects since 1 April 1985.

ANNEX TO GOVERNMENT ORDER Nº 171-A/85

Quotas for the period 1st April to 31st December 1985

Tariff heading	Statistical subdivision	Description	Value (in thousand escudos)
08.01	<p>100</p> <p>310</p> <p>350</p> <p>500</p> <p>600</p> <p>710</p> <p>750</p> <p>800</p> <p>990</p>	<p>Dates,bananas,coconuts,Brazil nuts, cashew nuts,pineapples,avocados, mangoes,guavas and mangosteens,fresh or dried,shelled or not:</p> <p>A.Dates.</p> <p>B.Bananas:</p> <p> I-Fresh.</p> <p> II-Dried.</p> <p>C.Pineapples.</p> <p>D.Avocados.</p> <p>E.Coconuts:</p> <p> I-Desiccated coconut.</p> <p> II-Other.</p> <p>G.Brazil nuts..</p> <p>H.Other.</p>	<p>Total quota: 940 000</p>
73.36	<p>130</p> <p>190</p>	<p>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:</p> <p>A.For solid fuel:</p> <p> I-Stoves,ranges and othercooking appliances,including plate warmers.</p> <p> II-Other appliances.</p>	

Tariff heading	Statistical subdivision	Description	Value (in thousand escudos)
	<p>310</p> <p>350</p> <p>370</p> <p>550</p> <p>570</p> <p>610</p> <p>690</p>	<p>B. For liquid fuel:</p> <p>I-Stoves, ranges and other cooking appliances, including plate warmers.</p> <p>II-Other appliances:</p> <p>a) With exhaust outlet.</p> <p>b) Other.</p> <p>C. For gas fuel, including appliances suitable for use with both gas and other fuels:</p> <p>I-Stoves, ranges and other cooking appliances, including plate warmers:</p> <p>a) With oven, including separate ovens.</p> <p>b) Other (without oven).</p> <p>II-Other appliances:</p> <p>a) With exhaust outlet.</p> <p>b) Other.</p>	<p>Total quota: 140 000</p>
84.15	<p>060</p> <p>140</p> <p>160</p>	<p>Refrigerators and refrigerating equipment (electrical and other):</p> <p>C. Other:</p> <p>I-Refrigerators of a capacity of more than 340 litres:</p> <p>ex a) Refrigerators:</p> <p>For domestic purposes.</p> <p>II-Other:</p> <p>a) Domestic electrical refrigerators, compression type:</p> <p>1) Fitted with a deep-freeze compartment with separate external door and separate evaporator.</p> <p>2) Other:</p> <p>aa) Table model.</p>	

Tariff heading	Statistical subdivision	Description	Value (in thousand escudos)
	170	bb) Building-in type.	
		cc) Other, of a capacity of:	
	180	11) Not more than 250 litres	
	190	22) More than 250 litres.	
	200	b) Domestic electrical refrigerators, absorption type.	
	210	c) Domestic non-electrical refrigerators.	
		d) Deep-freezers, chest type, of a capacity of:	
	320	ex1) Not more than 500 litres: Up to 500 litres.	
		e) Deep-freezers, upright type, of a capacity of:	
	410	1) Not more than 250 litres.	Total
	460	ex2) More than 250 litres Up to 500 litres.	quota: 730 000
87.09		Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds:	
		A. Motor-cycles, auto-cycles and cycles, with or without side-cars, powered by internal combustion engines, of a cylinder capacity of:	
	100	I-50cm ³ or less.	Total
87.10	000	Cycles (including delivery tricycles) not motorised.	quota: 30 000

Tariff heading	Statistical subdivision	Description	Value (in thousand escudos)
87.09	510 590 900	<p>Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds:</p> <p>A. Motor-cycles, auto-cycles and cycles, with or without side-cars, powered by internal combustion engines, of a cylinder capacity of:</p> <p>II- More than 50cm³:</p> <p>a) Scooters</p> <p>b) Other.</p> <p>ex B. Other:</p> <p>Excluding side-cars.</p>	<p>Total quota: 80 000</p>