

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

MTN/NTM/W/33
23 January 1976

Special Distribution

Multilateral Trade Negotiations

Original: English

Group "Non-Tariff Measures"
Sub-Group "Customs Matters"

CUSTOMS VALUATION

Iran

1. At its meeting of October 1975 the Sub-Group "Customs Matters" dealing with questions of customs valuation invited participants to transmit to the secretariat in writing by 31 January 1976 specific comments on the following points (MTN/NTM/7, paragraphs 2 and 3 and GATT/AIR/1226, paragraph 1):
 - (a) Judicial and administrative review procedures;
 - (b) publication of laws, regulations and administrative decisions;
 - (c) precise and fair handling of non-arm's length transactions;
 - (d) neutrality of valuation system/systems.
2. A communication from Iran has been received and is reproduced hereunder.
3. Delegations who have not yet submitted their comments are invited to do so without delay.

A. The customs procedures in respect of assessing "dutiabale value of goods" should provide a uniform payment of customs duties for all importers who import any identical goods about the same date and from the same country of origin, and, moreover, any special arrangements between suppliers and purchasers should have no effect whatsoever on the payment of the customs duties. The customs procedure to determine the dutiable value of the goods should in the meantime provide the importers with such possibilities that when their documents establishing value of the goods are to be reconsidered, they may be able to appeal to an independent judicial body within shortest possible time by presenting their evidences in support

./.

of the correctness of their documents, and ask for investigation of the matter, by pointing out the facts causing difference in the value assessed by the customs authorities.

B. Publication and promulgation of rules and regulations as well as administrative decisions should be carried out in such a way that while disseminating information to the interested persons, they may preclude possibilities of any misunderstandings and misinterpretations.

In our opinion, where no specific procedure has been envisaged in the law concerning publication of such documents, promulgation thereof through special publications i.e. administrative publications, Chambers of Commerce Bulletins and other specialized publications would be appropriate.

C. To bring about an explicit and equitable investigation of any business which have not been transacted on a full competition basis, it is desirable that a special tribunal comprised of specialists with, also, complete knowledge of international trade and Customs matters, enjoying full judicial independence be organized and empowered to determine impartially the matters referred to them.

D. In order to establish an entirely impartial valuation system and procedure, efforts should be made to collect useful information from whatever sources, even from purchasers and suppliers. This may greatly contribute to the purpose. Consequently, the co-operation of big industrialists in announcing, at the request of interested Customs Houses, the export prices and changes therein, and presenting agreements in cases where the goods have been imported through their sale agencies or distributors, would be quite useful in the matter. The more such co-operations are extensive the less the possibilities of illegal competition through declaration of incorrect values causing non-uniform payments of customs duties for identical goods will be.