

Reports and Consultations under Articles XII and XIV

I wish to draw your attention to the following procedural arrangements relating to reports and consultations on balance-of-payment restrictions:

1. The Discriminatory Application of Import Restrictions.

As advised in GATT/CP/132, the procedures adopted at the Sixth Session for the preparation of the third report on discrimination and for the conduct of consultations under Article XIV:1(g) require the contracting parties concerned to take certain action not later than March 15, 1952. Contracting parties acting under paragraph 1(b) or 1(c) of Article XIV or under Annex J are to submit by that date a statement describing any changes, which have taken place subsequent to the submission of their reply to GATT/CP/89, in import control regulations or administrative practices. Contracting parties wishing to maintain deviations from the rule of Article XIII, except those whose deviations fall under Article XIV:1(b) only, are to initiate consultations by March 15 and to furnish a statement of the measures involved and any other information which would assist the Contracting Parties in carrying out the consultations. As the date to be fixed for the Seventh Session will depend in part upon the consultations to be conducted under Article XIV:1(g), the contracting parties which intend to consult are urged to send advance notice by telegram not later than February 22 in order that the Intersessional Committee, which will meet on February 25, may reach a decision on the date for the Session.

2. Notification of Intensification of Import Restrictions.

At its meeting on 14-15 January (as recorded in GATT/IC/SR.1 & 2) the Intersessional Committee discussed the procedures adopted at the Sixth Session, in connection with the initiation of consultations on the intensification of balance-of-payment restrictions under Article XII:4(b), which provide that any decision on the initiation of such consultations should be taken by the Intersessional Committee. This procedure, however, involves a preliminary decision, as to whether a prima facie case of substantial intensification has arisen such as to justify the convening of the Committee to consider it. To enable the Chairman and the Executive Secretary to reach decisions in such cases the Committee considered that it would be helpful if any contracting party intensifying its import restrictions would furnish detailed information promptly to the Executive Secretary. This information would be circulated immediately to the contracting parties, and upon the basis of this information the Chairman and the Executive Secretary would determine whether there was a prima facie case for the initiation of consultations by the Contracting Parties under Article XII:4(b).

Sent to: 34 contracting parties  
Chairman, C.P.s

E. Wyndham White,  
Executive Secretary.

cc to: MF

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