
Committee on Market Access

**DRAFT DECISION ON NOTIFICATION PROCEDURES FOR
QUANTITATIVE RESTRICTIONS¹**

Adopted by the Council for Trade in Goods on ...

The Council for Trade in Goods takes note of the mandate of the Committee on Market Access (paragraph (d) of document WT/L/47) and agrees that:

1. Members shall make complete notifications of all quantitative restrictions in force by 30 September 2012 and at two yearly intervals thereafter. They should also notify changes to those quantitative restrictions as soon as possible, but not later than six months from their entry into force. Members will also retain the right to notify, at any time, corrections to their notifications, as well as to reverse notifications to which they are subject. Notifications shall be circulated in a new document series and will automatically be included in the agenda of the meeting of the Committee on Market Access.
2. Members shall prepare their notifications² in accordance with the format in Annex 1 and provide the following information for each restriction in force:
 - (i) General description of the restriction: a general description of the restriction in force (e.g. prohibition to import ozone depleting substances; prohibition to import live animals of endangered species; prohibition to import pork meat; quota for the import of fish; non-automatic licence for the import of guns and ammunition, etc.);
 - (ii) Type of restriction: a precise indication of the type of restriction imposed using the symbols contained in Annex 2. If the restriction relates to a measure for which a symbol does not exist, then a full description of the measure shall be provided;
 - (iii) Tariff line code: a detailed description of the tariff line(s) or parts of tariff line(s) affected by the restriction, together with an indication of the Harmonized System (HS) version on which the code(s) is(are) based (e.g. HS2002, HS2007, HS2012, etc.). The symbol "ex" should be added after the tariff line code to indicate that only part of the products classified therein are covered by the restriction;
 - (iv) Detailed product(s) description: a detailed description of the product(s) covered by the restriction, which should correspond to the tariff line codes listed. Members shall make an effort to be precise in those cases where the restriction only covers part of an HS subheading (i.e. only part of a six digit code);

¹ These notification procedures are without prejudice to the rights and obligations of Members under the WTO Agreement. SPS and TBT measures, as well as automatic import licensing and tariff rate quotas (TRQs) are not covered by this Decision.

² All notifications made pursuant to this Decision shall also be provided to the Secretariat in electronic form.

- (v) WTO justification: an indication of the grounds and WTO justification for the measures maintained, including any relevant international commitment where appropriate, and the precise WTO provisions which the Member cites as justification.³
 - (vi) National legal basis: reference to the law, regulation or administrative decision establishing the restriction, including its date of entry into force and the date it ceases to be in force, if known;
 - (vii) Member comments, administration of the restriction or modification of a previously notified restriction: this column provides an opportunity to provide additional information about the restriction or to explain the modifications introduced to a previously notified measure. It should include, where applicable, the following elements: 1) a description of the manner in which the restriction is administered (e.g. through an import licencing procedure, etc.) and whether it is applied globally (i.e. on an MFN basis) or specifically to the trade of one or more trading partners (i.e. bilaterally or plurilaterally, and to which trading partners); 2) In the case of volume-based measures, information on the quantity of permissible imports, the degree of quota utilization and, when available, on the level of production or consumption; 3) In the case of modifications to a previously notified restriction, a description of the change.
3. Information on quantitative restrictions in force and already notified in accordance with other notification requirements shall be notified as provided for in Section 2 of Annex 1 of this Decision, if not already covered in Section 1 of the same Annex.⁴
4. Notifications made pursuant to this Decision shall be compiled by the Secretariat in a new database, which shall be made accessible to the public. If a notification lacks any of the elements described in paragraph 2, the Secretariat shall include the notification in the database and inform the Member concerned of the missing information.
5. Members shall be free to make reverse notifications, which shall be made using the format in Annex 1 of this Decision and shall identify the Member maintaining the restriction, as well as the known elements of paragraph 2 above. These notifications will also be automatically included in the agenda of the Committee on Market Access. The Member who is the subject of the notification will have two months from the date of circulation of the notification to comment in writing on whether the notified measure is in force and to correct any information element contained therein. If such comment is not provided within such a time frame, the Secretariat shall input into the database the information contained in the reverse notification.
6. The Secretariat shall assist developing and least-developed countries in the preparation of their notification, at their request.

³ Provisions which have been invoked by Members to introduce quantitative restrictions under specific circumstances include, *inter alia*: Articles XI:2(a), XII, XVIII, XIX, XX, XXI of the GATT 1994, as well as Annex 5 of the Agreement on Agriculture, the Understanding on Balance of Payments, and the Agreement on Safeguards. See also JOB/MA/6. The justification is provided for transparency purposes only and is therefore indicative. It shall not prejudice any legal position a Member may take on the particular measure that the justification is intended to cover.

⁴ Notifications with information on quantitative restrictions in force may have already been made by the Member under the Agreement on Agriculture, Agreement on Balance of Payments, Agreement on Safeguards, and the Agreement on Import Licensing Procedures.

7. The Secretariat shall circulate yearly a report listing: i) the WTO Members having made a notification; ii) the type of notification made (i.e. whether "complete", "changes" or "reverse"); iii) the date of the notification and the period covered by it; iv) the sections of the notification in which information was provided (i.e. Sections 1 or 2); and v) whether the Secretariat informed the Member that information was missing.

8. This Decision and its annexes replace the Decision on Notification Procedures for Quantitative Restrictions contained in G/L/59 and the format for the notification of quantitative restrictions circulated in G/MA/NTM/QR/2. The new database replaces the existing database as of the date of adoption of this Decision.

ANNEX 1

Format for the Notification of Quantitative Restrictions in Force

A.	Notifying Member: _____
B.	Date of notification: _____
C.	First time notification: <input type="checkbox"/> Yes <input type="checkbox"/> No, last notification was made in (doc. symbol): _____
D.	Type of notification: <input type="checkbox"/> 1. Complete (i.e. notification of all quantitative restrictions in force) <input type="checkbox"/> 2. Changes to a notification previously made in (doc. symbol) _____ which are of the following nature: <input type="checkbox"/> 2.1 Introduction of new restrictions, as listed in Section 1. <input type="checkbox"/> 2.2 Elimination of restrictions, as described in G below. <input type="checkbox"/> 2.3 Modification of a previously notified restriction, as described in Section 1. <input type="checkbox"/> 3. Reverse notification of restrictions maintained by (Member): _____
E.	The notification provides information for the following biennial period (e.g. 2012-2014): _____ and relates to restrictions in force as of (date) _____
F.	This notification contains information relating to: <input type="checkbox"/> Section 1: List of quantitative restrictions that are currently in force. <input type="checkbox"/> Section 2: Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force and additional information.
G.	Comments of a general nature, including a description of the elimination of restrictions notified under D.2.2 and the date they ceased to be in force.

Section 1: List of quantitative restrictions that are currently in force

QR No.	General description of the restriction	Type of restriction (Symbol in Annex 2 of the Decision)	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification (e.g. Article XX(g) of the GATT, etc.) and Grounds for Restriction, e.g., Other International Commitments (e.g. Montreal Protocol, CITES, etc)	National legal basis and entry into force (i.e. Law, regulation or administrative decision)	Administration, modification of previously notified measures, and other comments
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							

Section 2: Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force

This section shall be filled by Members in case a notification made pursuant to another notification requirement (e.g. set in the Agreement on Agriculture, Agreement on Balance of Payments, Agreement on Safeguards, and the Agreement on Import Licensing Procedures, etc.) contains information on a quantitative restriction in force and which is not listed in Section 1.

1. Agreement on Agriculture

- A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☐
- B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

Document symbol of notification	General description	Type of restr.	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification and Grounds for Restriction, e.g., Other International Commitments	National legal basis and entry into force	Administration; modification of prev. notified measures; and other comments
1	2	3	4	5	6	7	8
G/AG/N/							

2. Agreement on Balance of Payments

- A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☐
- B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

Document symbol of notification	General description	Type of restr.	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification and Grounds for Restriction, e.g., Other International Commitments	National legal basis and entry into force	Administration; modification of prev. notified measures; and other comments
1	2	3	4	5	6	7	8
WT/BOP/N/							

3. Agreement on Safeguards

A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☐

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

Document symbol of notification	General description	Type of restr.	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification and Grounds for Restriction, e.g., Other International Commitments	National legal basis and entry into force	Administration; modification of prev. notified measures; and other comments
1	2	3	4	5	6	7	8
G/SG/N/							

4. Agreement on Import Licensing Procedures (non-automatic licences)

A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☐

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

Document symbol of notification	General description	Type of restr.	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification and Grounds for Restriction, e.g., Other International Commitments	National legal basis and entry into force	Administration; modification of prev. notified measures; and other comments
1	2	3	4	5	6	7	8
G/LIC/N/							

5. Other notifications

A. Was a notification made with information on a quantitative restriction in other notifications? Yes ☐ No ☐

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

Document symbol of notification	General description	Type of restr.	Tariff line code(s) affected, based on HS()	Detailed Product Description	WTO Justification and Grounds for Restriction, e.g., Other International Commitments	National legal basis and entry into force	Administration; modification of prev. notified measures; and other comments
1	2	3	4	5	6	7	8

ANNEX 2

Symbols to be used in notifications of quantitative restrictions⁵

P	Prohibition
CP	Prohibition except under defined conditions
GQ	Global quota
GQC	Global quota allocated by country
BQ	Bilateral quota (i.e. anything less than a global quota)
NAL	Non-automatic licensing
STR	Quantitative restriction made effective through state-trading operations
MXR	Mixing regulation
MPR	Minimum price, triggering a quantitative restriction
VER	"Voluntary" export restraint

Add the following suffixes to the above as appropriate:

-S	Seasonal restriction
-X	Export restriction

⁵ The symbols, which are indicative, and general descriptions contained in Annex 2 are for notification purposes and are without prejudice to Members' rights and obligations under the WTO Agreement. They are, therefore, not intended to define or harmonize the concept of quantitative restrictions under the WTO.