

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/NPL/10

21 May 2002

(02-2787)

**Working Party on the Accession
of the Kingdom of Nepal**

Original: English

WORKING PARTY ON THE ACCESSION OF THE KINGDOM OF NEPAL

Legislative Action Plan

The Government of the Kingdom of Nepal has submitted the attached Legislative Action Plan with a request that it be circulated to members of the Working Party.

Legislative Action Plan

(Present Status of Nepal's Law-Making Process for WTO Conformity)

No.	WTO Agreement	Law	Status of Draft	Expected Approval Date (Parliament)
1.	Marrakesh Agreement Establishing WTO 1994	Instrument of Ratification of WTO Agreement	Council of Ministers will consider submitting to the Parliament for ratification/Accession of or to the WTO Agreement as soon as WTO approves membership to Nepal.	
2.	Agreement on the Application of Sanitary and Phytosanitary Measures	Plant Protection Act 1972, Plant Protection Regulation 1975 Instrument of International Plant Protection Convention (IPPC) Seeds Act 1988 (First Amendment)	The Act and the Regulation are being reviewed and areas of amendment are being identified by the Study Group. Necessary amendments will be drafted by the Ministry of Agriculture & Cooperatives subject to the availability of technical assistance. Submission of the Draft to the Council of Ministers is expected within three months of finalization of the draft. The draft amendments of the Act shall be submitted by the Council of Ministers to the Parliament within six months. Adopted by the Council of Ministers; awaiting for ratification by the Parliament. An amendment bill was submitted to the Parliament in September 2001.	September 2003* August 2003 August 2003
3.	Agreement on Technical Barriers to Trade	Nepal Standards (Certification Mark) Act 1980; Weights and Measures Act 1968 Nepal Standards (Certification Mark) Regulations 1982; Standards Weights and Measures Rules 1960.	Review of the Acts has been under the process. Necessary amendments will be devised by Nepal Bureau of Standards and Measurement subject to the availability of technical assistance. It is expected that the Ministry of Industry, Commerce and Supplies will finalize the draft and submit to the Council of Ministers within six months from the date of the receipt of draft subject to the availability of technical assistance for infrastructure development. It is expected that the Council of Ministers will submit the amendment proposal to the Parliament within six months. Amendments to these Regulation/Rules will be considered by the Ministry of Industry, Commerce and Supplies which may be submitted to the Council of Ministers after approval of the amendment to the above Acts by the Parliament.	September 2003* October 2004

* Note: These Expected Approval Dates are subject to the availability of Technical Assistance.

No.	WTO Agreement	Law	Status of Draft	Expected Approval Date (Parliament)
4.	Agreement of Implementation of Article VI of the GATT 1994 (Anti-dumping)	Law on Anti-dumping Measures	The Ministry of Industry, Commerce and Supplies will prepare a draft subject to the availability of technical assistance. It is expected that the Council of Ministers will submit the proposed bill to the Parliament within six months from the date of completion of draft.	September 2003
5.	Agreement on Implementation of Article VII of GATT 1994 (customs valuation)	Customs Act 1962; Customs Regulation 1969	Amendments are being drafted by the Department of Customs. The Ministry of Finance will finalize the draft by September 2002 and submit to the Council of Ministers in December 2002 subject to the availability of technical assistance for institutional and human resource development. Draft amendment of the Act is expected to be presented to the Parliament within six months.	February 2004*
6.	Agreement on Rules of Origin	Customs Act 1962; Customs Regulation 1969	Amendments are being drafted by the Department of Customs. The Ministry of Finance will finalize the draft by September 2002 and submit to the Council of Ministers in December 2002 subject to the availability of technical assistance for institutional and human resource development. Draft amendment of the Act is expected to be presented to the Parliament within six months.	February 2004
7.	Agreement on Import Licensing Procedures	Export-Import (Control) Act 1957; Export-Import Regulation 1978	Draft of Amendments to the Act and Regulation are being considered by Department of Commerce. It is expected that Ministry of Industry, Commerce and Supply will finalize by December 2002 subject to the availability of technical assistance and will be submitted to the Council of Ministers within three months. Submission of draft amendment of the Act to the Parliament is expected within six months from the date of finalization by the Ministry.	February 2004

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No.	WTO Agreement	Law	Status of Draft	Expected Approval Date (Parliament)
8.	General Agreement on Trade in Services (GATS)	<p>Nepal Chartered Accountants (First Amendment) Act</p> <p>Health Institutions Operating Act</p> <p>Foreign Investment and Technology Transfer Act 1992; Foreign Investment and One Window Policy 1992; Industrial Policy 1992</p> <p>Nepal Bar Council Act 1992; Industrial Enterprises Act 1992; Labour Act 1991; Insurance Act, 1992; Company Act 1997 (amendment); Securities Exchange Act 1982</p> <p>Bank and Finance Companies Act</p>	<p>Submitted to Parliament in September 2001</p> <p>Draft of this new enactment is under consideration before the Parliament.</p> <p>His Majesty's Government of Nepal (HMG/N) is reviewing these Act and Policies.</p> <p>Amendments to these Acts are being considered by concerned Ministry/Department and submission to the Council of Ministers is expected by the end of December 2003, and to the Parliament in June 2004.</p> <p>Draft of this new enactment is being prepared by Central Bank of Nepal, submission to the Ministry of Finance is expected by the end of August 2002. Submission to the Council of Ministers is expected by the end of December 2002 and to the Parliament by March 2003.</p>	<p>August 2002</p> <p>September 2003</p> <p>September 2003</p> <p>October 2004</p> <p>October 2003</p>

No.	WTO Agreement	Law	Status of Draft	Expected Approval Date (Parliament)
9.	Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)	Industrial Property (Protection) Act	Draft of the new Act will be prepared by the Department of Industry subject to the availability of technical assistance. It is expected that Ministry of Industry, Commerce and Supplies will finalize the draft by December 2003. Submission to Council of Ministers is expected in June 2004 subject to the availability of technical assistance for institutional and human resource development and to the Parliament in September 2004.	February 2005*
		Copyright Act 1965	An amendment bill is under consideration by the Parliament	March 2003
		Instrument of Ratification of Berne Convention for the Protection of Literary and Artistic Works 1971	Government is considering to be a party to it by the end of 2002 and submission to the Parliament is expected to be in February 2003	August 2003
		Plant Resources Act	A Bill was submitted to Parliament in September 2001	March 2003
		Access to Genetic Resources Act	Ministry of Forestry and Soil Conservation has nearly finalized the draft of this new Act, submission to Council of Ministers is expected by July 2002 and to the Parliament in September 2002.	February 2003
10.	General	Foreign Exchange (Regulating) (Second Amendment) Act	Draft of the amendment is under consideration before the Parliament	October 2002
		Bankruptcy/Insolvency Act; Income Tax Act; Environment Act 1997; Pharmaceutical Act, 1978;	Amendments to the Acts, and new enactments of Acts are being considered by line ministries as well as Ministry of Law and Justice; submission to the Council of Ministers is expected in December 2004, and to the Parliament in July 2005.	September 2005
		Competition Act	Interactions and discussions are initiated for the first draft.	September 2005
		Cyber Act	It is under consideration of HMG/N	September 2005

* Note: These Expected Approval Dates are subject to the availability of Technical Assistance.

No.	WTO Agreement	Law	Status of Draft	Expected Approval Date (Parliament)
		Instruments of ratifications United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980).	The Government is considering to adopt this Convention and submit to the Parliament by September 2003:	July 2004