COUNCIL
14-16 March 1966

AUSTRALIAN REQUEST FOR A WAIVER TO GRANT TARIFF
PREFERENCES TO LESS-DEVELOPED COUNTRIES

The following communication has been received from the Australian representative to the GATT.

At my request you have circulated to members of the Council (C/W/103) certain proposed amendments to operative paragraph 6 and to the final sentence of the draft waiver as it appears in L/2527, Annex A.

I would now request that you arrange for the following possible amendments to operative paragraph 3 and 4 of the draft waiver to be also circulated to the members of the Council. Like those referred to in C/W/103, these possible amendments would also be acceptable to the Australian Government.

Operative paragraph 3. To be redrafted as follows:

"If the Government of Australia considers, in the light of the effects of action which it has taken under this Decision, that any of the countries and territories referred to in paragraph 1 of this Decision should no longer receive the preferential tariff treatment provided for under this Decision in the supply of Australia's import requirements of any of the goods mentioned in Annex I, it may, subject to the procedures of paragraph 4 of this Decision, apply to imports of such goods from that country or territory the tariff treatment that would have been applicable in the absence of this Decision. The Government of Australia may subsequently, subject to the procedures of paragraph 4 of this Decision, apply to such goods from that country or territory the preferential treatment provided for in this Decision."
Operative paragraph 4. To be redrafted as follows:

"After deciding to take any action to which the procedures of this paragraph apply, the Government of Australia shall promptly notify the CONTRACTING PARTIES of the action which it intends to take and shall promptly consult, with a view to arriving at a mutually acceptable settlement, with any contracting party which considers that such action threatens substantial injury to its trade with Australia. Should agreement not be reached in such consultation, the question of such threat may be considered by the CONTRACTING PARTIES. The Government of Australia may take such action if, within 30 days after such notification, no contracting party has requested consultation or if it is agreed by the contracting party requesting consultation or by CONTRACTING PARTIES, as the case may be, that no such threat exists. If, however, the CONTRACTING PARTIES find that such threat exists the Government of Australia shall not take such action but may take other action which conforms with any recommendation made by the CONTRACTING PARTIES, or alternatively, may remove the relevant good or goods from Annex I."