IMPORT DOCUMENTATION INCLUDING CONSULAR FORMALITIES

Background Note by the Secretariat

Addendum

1. At its meeting of 27 June 1972 the Working Group instructed the secretariat to circulate a document indicating what had been done and what was being done on import documentation in GATT, as well as in other organizations. This paper supplements the information contained in the background note by the secretariat (COM.IND/W/79).

I. GATT

GATT activities

2. The following is a detailed list of the relevant decisions and recommendations adopted in the past by the CONTRACTING PARTIES:

(a) Import documentation


Decision of 7 November 1952 adopting report on Documentary Requirements for Imports, Consular Formalities, Valuation for Customs Purposes, Nationality of Imported Goods and Formalities connected with Quantitative Restrictions - BISD, First Supplement, pages 100 and 101.


(b) Consular formalities


Recommendation of 30 November 1957 on The Abolition of Consular Formalities - BISD, Sixth Supplement, pages 25 to 27.


Decision of 20 February 1970 requesting the Committee on Trade in Industrial Products to deal with consular formalities and to report on the results of its work (SR.26/7).

(c) Certificates of origin


6. The following is a detailed list of the relevant items in Part 2 of the NTB Inventory:

(a) Import documentation

119 124 133 142
121 126 137 144
122 128 138 146
123 131 140 147
(b) **Consular formalities**

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>118</td>
<td>132</td>
<td>137</td>
<td>149</td>
</tr>
<tr>
<td>125</td>
<td>134</td>
<td>143</td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>136</td>
<td>145</td>
<td></td>
</tr>
</tbody>
</table>

(c) **Certificates of origin**

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>129</td>
<td>135.2</td>
<td>141</td>
</tr>
<tr>
<td>124.1</td>
<td>130</td>
<td>135.3</td>
<td>142.1</td>
</tr>
<tr>
<td>124.2</td>
<td>130.1</td>
<td>135.4</td>
<td>143</td>
</tr>
<tr>
<td>124.3</td>
<td>134</td>
<td>136.1</td>
<td>148</td>
</tr>
<tr>
<td>126.1</td>
<td>135</td>
<td>139</td>
<td>148.1</td>
</tr>
<tr>
<td>126.2</td>
<td>135.1</td>
<td>139.1</td>
<td></td>
</tr>
</tbody>
</table>

**Future action**

7. A note on the first meeting of the Group is contained in Spec(72)78.

The main suggestions for future action put forward at that meeting can be summarized as follows:

(a) **Import documentation**: Either a special sub-committee of customs experts should be established to develop standard forms that would meet the import documentation requirements of all customs services throughout the world.

Or the Customs Co-operation Council should be requested to draw up lists of common requirements for a standard customs invoice and for an all purpose entry document.

(b) **Consular formalities**: A progress report should be examined on the present situation in contracting countries maintaining consular formalities (an invitation to supply the necessary information has already been sent to the contracting parties concerned, see GATT/AIR/955).

Consideration given to a draft interpretative note to Article VIII of the General Agreement, containing a date for the elimination of consular formalities, that will be prepared by a member of the Working Group.

(c) **Certificates of origin**: No specific proposals were made. At an earlier meeting it was proposed that certificates of origin should be required only in cases were they were strictly indispensable in line with the Recommendations of the CONTRACTING PARTIES of 23 October 1953 (BISD, Second Supplement, page 57) and of 17 November 1956 (BISD, Fifth Supplement, page 3)
II. Customs Co-operation Council - CCC

8. The following summary of the action taken by the CCC in this field is based on information received from the Council.

The CCC Secretariat has indicated that particular importance is attached to the harmonization and simplification of customs documents with a view to lightening the work of the customs and promoting the expansion of international trade.

The Customs Co-operation Council has taken action as indicated:

(a) Import documentation

9. Customs Convention of 1 March 1956 regarding ECS\(^1\) carnets for commercial samples.

Customs Convention on the ATA\(^2\) carnet for the temporary admission of goods.

Collaboration with the Economic Commission for Europe in the establishment of the ECE lay-out key.

Recommendation of June 1965 concerning the adoption of a lay-out key for the goods declaration (outwards), adopted up to now by twelve countries.

Adoption of a customs declaration form (form C2/CP 3) for postal parcels and letter-post items in co-operation with UPU, based on the ECE lay-out key.

Preparation of a preliminary draft lay-out key for the goods declaration for home use taking into account the use of computers.

Determination of the particulars needed by the customs for import formalities with a view to the establishment of a harmonized lay-out key for the goods declaration for home use. The CCC Secretariat has established that only three of its member countries use a single form for the clearance of goods at importation. Apart from them, all other countries use separate forms (at least at the present time), depending on the customs procedure involved (clearance for home use, temporary admission, and so on). However, examination of the replies given by the member countries to the CCC questionnaire points to the conclusion that most of the particulars requested are common to all the forms of goods declaration (inwards), irrespective of the customs procedure involved. It has also been noted that those countries which have introduced automatic data processing use a single type of form for the clearance of goods at importation, whatever the customs procedure involved.

---

\(^1\)Echantillons commerciaux - commercial samples

\(^2\)Admission temporaire - Temporary admission
procedure involved. The CCC Secretariat, subject to the decision of the Permanent Technical Committee, feels that, for the continuation of its work, it would be advisable to adopt the principle of the establishment of a single type of form irrespective of the customs procedure applicable at importation.

Preparation of an International Convention on the Simplification and Harmonization of Customs Procedures. The Convention will include annexes dealing with particular customs procedures. Each annex will consist of an introduction, definition of Customs terms and a series of provisions entitled Standard or Recommended Practices. It is planned that the Standards would be binding on the contracting parties who accept the annex concerned, while reservations could be entered in respect of the Recommended Practices. The Permanent Technical Committee is considering the opening of the Convention to non-members of the CCC and a Plan of Annexes, as well as Draft Annexes concerning Customs Warehouses, Temporary Admission and Drawback.

(b) Certificates of origin

10. The Special Working Party on Customs Problems relating to the origin of goods is seeking means of harmonizing administrative procedures connected with the determination and control of origin, and examining the feasibility of action in the field of the definition of origin itself. With regard to the harmonization of administrative procedures, the main topics covered by the studies of the Special Working Party have included: the various means by which information relating to the origin of the goods is communicated to the customs (simple declarations, notations on invoices or other commercial documents, certifications, origin certificates, etc.); the authorities or bodies empowered to issue certificates of origin; the cases in which no certificate of origin should be necessary; and the questions of mutual administrative assistance for the control of origin. From the study of the various forms of certificate of origin at international level and of the ancillary questions (languages to be used, signatures, particulars to be furnished, etc.) it has been possible to identify certain principles which could provide the basis for harmonization in this field. With the assistance of the UNCTAD Inter-Regional Adviser on Trade Documentation, the Special Working Party prepared a model standard certificate of origin which, accompanied by explanatory notes and by rules for preparing the certificates, could form the subject of a Council Recommendation, with the understanding, however, that harmonization of certificates of origin should not be construed as aimed at generalizing the use of certificates of origin, since proof of origin could well take other forms. The Permanent Technical Committee decided that it would be preferable to postpone finalization of the draft Recommendation until its meeting of October 1972, in order to give countries an opportunity to submit their comments in writing. In order to avoid undue delay in the possible adoption of a standardized form of certificate of origin, the Committee has suggested that once it finalizes the draft Recommendation this should be submitted for the CCC's approval under the postal ballot procedure. The Committee agreed to study those aspects of the definition of origin which were more closely bound up with customs
procedures and in respect of which practical results might be achieved, such as, for example, the advantages and disadvantages of the various criteria used to determine origin when considered from the point of view of the customs which would apply these criteria; the difficulties encountered by customs administrations in applying the criteria and the solutions envisaged or adopted in this respect; the reasons which had led countries to adopt different solutions for the application of the same criteria; and certain issues of terminology which might arise during these studies.

Future action

11. The CCC has taken note of the programme of future work drawn up by the Permanent Technical Committee. The Committee decided to devote a large part of its work to the finalization of the Convention on the Simplification and Harmonization of Customs Procedures, the study of the customs problems relating to the origin of goods and the simplification and harmonization of customs documents. The work on the Glossary of International Customs Terms and on the preparation and revision of the Comparative Studies of Customs Methods will be pursued within the context of the preparation of the Annexes to the Convention on the Simplification and Harmonization of customs procedures.

12. The Permanent Technical Committee will meet in October 1972 in Brussels. The following items appear, among others, in its agenda for the meeting:

(a) Import documentation

V. International Convention for the Simplification and Harmonization of Customs Procedures:

(a) Draft Annex on Customs Warehouses;
(b) Draft Annex on Temporary Admission subject to re-exportation in the same state;
(c) Draft Annex on Drawback;
(d) Plan of Annexes;
(e) Opening of the Convention to non-members of the Council;
(f) Draft body of the Convention.

VIII. Simplification and harmonization of customs documents in connexion with the use of computer systems.

(b) Certificates of origin

VI. Customs problems relating to the origin of goods:

(a) Draft recommendation concerning the adoption of a standard form of certificate of origin.
(b) Other business.
III. Economic Commission for Europe - ECE

The following information has been received from the Economic Commission for Europe.

Activities of the Economic Commission for Europe in the Field of Import Documentation

13. The activities of the Economic Commission for Europe in the field of import documentation fall within the appreciably broader context of the facilitation of international trade procedures. These activities are not limited to import documents but extend to all international trade documents; they also cover electronic data transmission; lastly, they are concerned with the facilitation of these procedures or their rationalization by simplifying and reducing unnecessary or cumbersome data in the new context of the development of international trade, and by standardizing essential data, first at European level, and then indirectly at world level.

14. In the past - 1961 to 1971 - through the work of the Group of Experts on the Simplification and Standardization of External Trade Documents, the Commission succeeded in standardizing most of the external trade documents used in Europe and, by extension, in the world, by recommending that the governments and organizations concerned should align the documents used by them in international trade on a standard form called the ECE layout key.

15. This first objective having been achieved, the Economic Commission for Europe, through the Committee on the Development of Trade, considered that in order to meet new problems arising on the one hand from the development of new modes of transport for goods - air transport, container transport - as well as from the greater speed of transport, and on the other hand from the introduction of new methods of processing the data required in international goods transport - computers and electronic facilities for automatic data processing - it was appropriate to entrust to a specialized body the overall task of rationalization (acceleration, simplification, reduction, compatibility, standardization) of the activities connected with the exchange of information needed for international goods transport. Accordingly, in 1971, the Working Party on Facilitation of International Trade Procedures was established (TRADE/WP.4).

16. As at present organized, the Working Party is assisted by two Groups of Experts and its activities therefore consist of giving directives to the two Groups of Experts, ensuring that they are complied with, ensuring that an adequate effort is made in regard to information, and reporting to the Committee on the Development of Trade, to the Commission and, where necessary, to governments.

17. The task of the Group of Experts on Data Requirements and Documentation (TRADE/WP.4/GE.2) is to establish the requirements of the various users of international trade documents in respect of the data to be included in such documents; and, in addition to reducing such data to the minimum, to continue to promote the harmonization of the various documents with the layout key. Thus,
at the present time, one of its main tasks is to find a way of aligning the air
waybill on the layout key. The Group of Experts is also to consider the possible
establishment of a single commercial and administrative invoice.

18. As its name indicates, the Groups of Experts on Automatic Data Processing and
Coding (TRADE/WP.4/GE.1) has a two-fold task: the first is to study computer
systems already used or which could be used in international trade, with a view
to establishing whether or not they are compatible and to determining the
criteria or factors necessary for better utilization of computers in relation
with the data requirements of international trade. The second task is to find
codes acceptable to all the parties concerned for designating the various
particulars included in documents, so as to facilitate the use of computers.

19. Whereas studies of computer systems are still at a preliminary stage, the
work on terminology and coding is already well advanced in certain cases, thanks
to the collaboration of specialized organizations. The Customs Co-operation
Council is engaged in the preparation of a harmonized commodity description and
coding system, with broad participation by governments and United Nations bodies.
The ISO is working on the codification of country names according to a system
acceptable to all concerned, and the definition and coding of other essential
data will be taken up after the Group of Experts has examined studies on the
subject.

20. As the experts to whom these tasks have been entrusted are government
experts, and in view of the fact that the international organizations concerned
are taking part in the work, one can consider that there is a good chance that
the recommendations at which the Working Group arrives will be applied.

21. Having regard to the composition of the Economic Commission for Europe and
to the fact that other interested members of the United Nations are participating
in an advisory basis, the recommendations will extend to all the countries of
Europe and eventually to all parts of the world.

22. Having regard to the very broad terms of reference of the Working Party and
its Groups of Experts and the co-ordinating rôle which they have already carried
out, these bodies will be able to take up all the problems arising from the
rationalization of international trade data; in any case, these bodies will take
care to avoid duplication of effort and will have the assistance of the experts
or of the organizations best equipped to solve the various problems that may
arise.
The following documents, which may be consulted at the secretariat offices, are relevant to the above information.

Terms of reference of the Working Party on the Facilitation of International Trade Procedures

Terms of reference of the Group of Experts on Automatic Data Processing and Coding

Terms of reference of Group of Experts on Data Requirements and Documentation

Work programme of the Working Party on Facilitation of International Trade Procedures

Work programme of the Group of Experts on Automatic Data Processing and Coding

Note for the Committee on the Development of Trade