Prohibitions, quotas and exchange control:

In our opinion, the present Convention should not determine the cases in which such measures are legitimate. Signatory States will observe the relevant General Agreement regulations if they are members, or if not, the regulations laid down in such treaties as they have concluded. The only question here is what departures are to be made from the normal régime applicable to ordinary goods, in the case of samples, patterns or advertising material.

It is obviously not possible to provide for departures in the case of absolute prohibition on grounds of health, public morals, etc. (See French amendment, document CP.6/W/7, paragraph 3).

But in other cases, and especially in the case of temporary importation of samples - the only instance in which the question is of real practical importance - the Convention should be made somewhat flexible, each country being permitted to make exceptions, and to exempt interested parties, at least provisionally, from producing certain documents, with a view to simplifying their transactions.

We suggest the following text as a basis for discussion:

"Nothing in this Convention shall oblige the Contracting Parties to admit into their territories samples, patterns and advertising material where the importation of such articles is prohibited. However, subject to such safeguards and controls as are considered necessary, the Contracting Parties shall as far as possible facilitate the temporary importation of samples and patterns which are subject to quota restrictions or exchange control measures."