SCHEDULE XXXI - Uruguay

Adjustment of "aforos" in the Customs Tariff of Uruguay

The following is a translation of the text of a Decree, dated Montevideo, 23 June 1960, relating to adjustments in the "aforos" in Schedule XXXI - Uruguay:


HAVING REGARD to the provisions of Law No. 7623 of 19 September 1923;

CONSIDERING that the Executive Power is authorized, under Article 2 of Law No. 12,019 of 6 November 1957, to adjust the Import Customs Tariffs, and to bring it into line with the General Agreement on Tariffs and Trade, to the extent required by the economic defence of the country;

CONSIDERING that it is necessary to adjust the schedule of Import "aforos" in order to adapt it to fiscal, economic and technical needs and to the requirements of international trade;

CONSIDERING that such adjustment constitutes a step towards the approximation of "aforos" to the real value of merchandise and is in accordance with the provisions of Law No. 12,670 of 17 December 1959 which authorizes the Executive Power to reduce customs duty on imports of products which are not considered to be non-essential, of a luxury nature or competitive, or to free such imports from customs duties;

CONSIDERING that for a great variety of reasons it is desirable from a practical point of view not to introduce discriminatory adjustments in respect of each tariff item, depending upon fluctuations in their real values in view of the fact that such adjustments are very limited and constitute one first step towards assimilation with such values;

CONSIDERING that the new import system established by the Law of 17 December 1959 eliminating import quotas and multiple exchange rates for import purposes requires the adoption of measures involving the adaptation of the bases of assessment for customs levies resulting from the new economic system;

1See "General Notes" to Schedule XXXI - Uruguay in Torquay Protocol.
CONSIDERING that, while studies have been initiated with a view to the establishment of a customs tariff to take account of present technical requirements, such work however will take a fairly long time;

CONSIDERING the present process of promotion of the economic development of economic associations and integrated entities, which have been or are being established, negotiations for which are based essentially on tariff agreements which require the adoption of values thus providing the effective instrument necessary for the negotiation of concessions and of international agreements;

CONSIDERING that the report by the Uruguayan delegation which participated in the fifteenth session of the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade defines the scope of the General Notes to Schedule XXXI - Uruguay, under which our country is entitled, at least once a year, to raise the "aforos" bound under GATT in 1949 and 1951, in conformity with fluctuations in real values without being required to accord new concessions;

CONSIDERING that the statistical data prepared by the commission set up under the Decree of 14 July 1959 indicate clearly that official values under the import tariff are far below real value;

CONSIDERING that, irrespective of the exceptions set forth in said decree, the increases in "aforos" in relation to the incidence of the relevant customs duties are in general of minor importance from the point of view of sales prices and therefore have little incidence on the consumers' market;

CONSIDERING that, in general, "aforos" have not been modified for a long time and that the latest modifications were made under the Decrees of 14 July 1943 and 22 December 1950, representing on both occasions a general increase of 30 per cent, with the exception of some items in respect of which "aforos" were not changed;

CONSIDERING, on the other hand, that the Law of 19 September 1923 provides that "aforos" may not be revised during the first three years of application;

DUE REGARD being had for the information submitted by the Comptroller-General for Customs, on the basis of the determination reached by the Committees on Aforos, and by the Fiscal Advisory Office of Finance Ministry;

THE NATIONAL COUNCIL OF GOVERNMENT DECRESSES AS FOLLOWS:

ARTICLE 1. In accordance with the provisions of Article 1 of the Law of 19 September 1923 and until the full value of the merchandize deposited is determined as set forth by Article 4 of the above-mentioned legal provision, existing "aforos" laid down in the general tariff of import "aforos" and in the tariff relating to raw materials shall be increased by 200 per cent.
ARTICLE 2. The "aforos" established under the schedule for Uruguay annexed to the General Agreement on Tariffs and Trade (GATT) shall be increased by the same percentage in conformity with the provisions of Law No. 12,019 of 6 November 1953 relating to the ratification of said Agreement.

ARTICLE 3. The same rate of increase shall apply to all differential tariffs to the extent permitted by existing treaties and agreements.

ARTICLE 4. Any "aforos" which have been fixed or modified during the three-year period prior to the entry into force of this decree shall be exempted from the increase provided for under Article 1.

ARTICLE 5. A report shall be addressed to the General Assembly.

ARTICLE 6. This decree shall be communicated, published, etc., etc.

On behalf of the Council:

FERNANDO NARDONE,
President

JUAN EDUARDO AZZINI

HECTOR GROS ESPIEL,
Secretary.