APPLICATION OF GATT TO INTERNATIONAL TRADE IN
TELEVISION PROGRAMMES

Revised United States Draft Recommendation

On the request of the United States the item "Television programmes" has been included in the agenda of the nineteenth session (L/1615 and L/1646). A Working Party, which was set up by the CONTRACTING PARTIES to study the questions, met in March 1962 but was unable to reach a final conclusion. The report of the Working Party is contained in document L/1741.

During the meeting of the CONTRACTING PARTIES held on Monday, 29 October 1962 the United States representative indicated that his Government would submit a revised draft recommendation for consideration by the Working Party on Television Programmes.

The text of this draft recommendation has now been received and is attached to this document.
Draft United States Substitute Recommendation

The CONTRACTING PARTIES, recognizing that, when the General Agreement was drawn up, international trade in television programmes was virtually non-existent so that the implications of the application of the relevant provisions of the General Agreement to such trade were not considered;

Recognizing that trade in television programmes has similarities to trade in cinematographic films for which special provision was made in the General Agreement;

Recognizing that, for reasons of public policy, contracting parties may find it necessary to ensure that television programmes include such a proportion of domestically produced material as inter alia to reflect the traditions and cultures of their countries;

Declare that it is the sense of the CONTRACTING PARTIES that the greatest freedom of international trade in television programmes is to be desired, and that the following recommendation should in no sense be construed as retrogression from that goal, but is, rather, to serve as a guideline for contracting parties which now maintain or which may in the future feel compelled to introduce controls over imported television programmes for reasons of public policy; and

Recommend that, where contracting parties find internal regulations necessary in order to ensure the use of an adequate proportion of domestically produced material, they adopt the following principles:

(a) any such regulations should be limited to a reservation of a specified proportion of viewing time for programmes produced domestically;

(b) any such reservation of time shall not preclude access to a reasonable proportion of viewing time for recorded programmes imported from other contracting parties, without distinction among exporting contracting parties, and with due regard for favourable viewing hours; and

(c) such reservations shall be subject to negotiation for their limitation, liberalization or elimination.