MALAYSIA - ESTABLISHMENT OF A NEW SCHEDULE XXXIX

Communication from Malaysia

The following communication dated 31 October 1988 has been received from the Permanent Mission of Malaysia with the request that it be circulated to the contracting parties and considered by the CONTRACTING PARTIES at their forty-fourth session.

I have the honour to refer to the Decision taken by the COUNCIL on 18 July 1988 as contained in document L/6376 to suspend the application of the provision of Article II of the General Agreement in regard to the new Schedule XXXIX of Malaysia until 31 December 1988 to allow for the renegotiations as a result of the transposition to the Harmonized System (HS) in accordance with the procedures outlined in Article XXVIII of the General Agreement.

The HS documents are being finalized and will be submitted before the middle of November 1988 for circulation to all Contracting Parties.

To allow Malaysia the necessary period of time for the consultations and negotiations with interested contracting parties in accordance with paragraphs 1-3 of Article XXVIII, the Government of Malaysia hereby requests a temporary extension of the exemption from its obligations under Article II of the General Agreement until 30 June 1989.

To facilitate consideration of this matter, the text of a draft decision is annexed.
ANNEX

MALAYSIA - ESTABLISHMENT OF A NEW SCHEDULE XXXIX

Draft Decision on Extension of Time-Limit

Considering that the CONTRACTING PARTIES, by Decision of 18 July 1988\(^1\), suspended the application of the provisions of Article II of the General Agreement to the extent necessary to enable the Government of Malaysia to implement the Harmonized Commodity Description and Coding System (Harmonized System) on 1 January 1988 and carry out negotiations subsequently;

Considering that intensive work has been carried out by the competent authorities in Malaysia in order to prepare the required Harmonized System documentation necessary for the renegotiations under Article XXVIII.

Noting that, owing to technical difficulties, it has not yet been possible for the Government of Malaysia to complete and distribute the required documentation as foreseen, and carry out negotiations and consultations under Article XXVIII before the expiry date;

Noting that the required documentation is being finalized and will be submitted to the secretariat by mid-November for circulation to all contracting parties;

Considering that Malaysia will need an additional period of time to carry out negotiations and consultations with interested contracting parties in accordance with paragraphs 1-3 of Article XXVIII;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement,

Decide, in view of the exceptional circumstances, to extend the time-limit, provided for in the Decision of 18 July 1988, until 30 June 1989.

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\(^1\) L/6376.