PHILIPPINES - ESTABLISHMENT OF A NEW SCHEDULE LXXV

Extension of time-limit

The following communication dated 6 November 1990 has been received from the Permanent Mission of the Philippines with the request that it be circulated to the contracting parties and considered by the CONTRACTING PARTIES at their forty-sixth session.

This has reference to the Decision taken by the CONTRACTING PARTIES on 16 July 1990, as contained in document L/6709, to grant the Government of the Philippines an extension until 31 December 1990 in the time-limit of the waiver from its obligations under Article II of the General Agreement in regard to the establishment of the documentation of the new Schedule LXXV. Following the submission of the proposed Harmonized System documentation which has been circulated in document SECRET/HS/24, the Government of the Philippines is pleased to inform that consultations with two contracting parties have been satisfactorily completed while consultations and negotiations are still on-going with three other contracting parties who have reserved their rights under GATT Article XXVIII.

The Government of the Philippines believes that it will not be possible to complete the said consultations and negotiations by 31 December 1990.

The Government of the Philippines is therefore requesting for another extension up to 30 June 1991 to complete the consultations and negotiations in co-operation with concerned contracting parties.

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

PHILIPPINES - ESTABLISHMENT OF A NEW SCHEDULE LXXV

Draft Decision on Extension of Time-Limit

Considering that the CONTRACTING PARTIES, by Decision of 13 March 1989, suspended the application of the provisions of Article II of the General Agreement to enable the Government of the Philippines to implement the Harmonized Commodity Description and Coding System (Harmonized System) on 19 October 1988 and carry out negotiations subsequently;

Considering that, by Decision of 16 July 1990, the CONTRACTING PARTIES extended the time-limit for the completion of the negotiations or consultations to be conducted by the Government of the Philippines until 31 December 1990;

Noting that the required HS documentation necessary for the renegotiations under Article XXVIII has been submitted by the Philippines and circulated to contracting parties in document SECRET/HS/24 on 25 April 1989;

Considering that the Government of the Philippines has completed consultations satisfactorily with two contracting parties and that negotiations are still on-going with three contracting parties which have reserved their rights under Article XXVIII;

Considering that it will, however, not be possible for the Government of the Philippines to terminate the negotiations or consultations before 31 December 1990; and

Considering that the Government of the Philippines has requested an extension of the waiver until 30 June 1991;

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 13 March 1989, until 30 June 1991.

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1 BISD 36S/431
2 L/6709