GENERAL AGREEMENT ON TARIFFS AND TRADE

CONTRACTING PARTIES
Ninth Session

Review Working Party I on
Quantitative Restrictions

ALTERNATIVE DRAFT OF THE OPENING PHRASE OF

PARAGRAPH 4(a) OF ARTICLE XII

(a) Replace that phrase by the following text:

"4(a) Any contracting party applying new restrictions or increasing the
general level of its existing restrictions by a substantial intensification
of the measures applied under this Article shall ..."

(b) Delete the interpretative note suggested in document W.9/189 referring to
paragraph 10(a) of Article XVIII.

(c) Insert in the Working Party's report the following:

"The provisions regarding consultations in cases where a contracting party
is applying new or substantially intensifying existing restrictions have
been redrafted for the sake of brevity, but the intent remains unchanged.
The reference to "new restrictions" covers the case described in the
present paragraph 4(a) of a contracting party which was not applying
restrictions under the Article but finds it necessary to introduce limita-
tions on imports. On the other hand, the phrase: "increasing the general
level of its existing restrictions by a substantial intensification of the
measures applied under this Article shall ..." corresponds to the second
part of the first sentence of paragraph 4(b) of the present Article. The
language adopted, and in particular the use of the word "measures" is
meant to convey the idea that the intensification referred to in this
paragraph may be achieved either by increasing the restrictive effect of
the restrictions applied to products the import of which is already limited,
or by the institution of new restrictions on products the import of which
was not yet subject to limitations."