The participants have agreed to provide information concerning their domestic policies and trade measures including bilateral and plurilateral commitments on the basis of Parts G and H of the Questionnaire (Rule 16 of the Rules of Procedure). The documents containing replies to these parts of the Questionnaire are circulated under the symbol IMC/INV; they will be revised as and when changes are notified.

This set of documents will constitute the inventory of all measures affecting trade in bovine meat, including commitments resulting from bilateral, plurilateral and multilateral negotiations, which the Council has instructed the secretariat to draw up and keep up to date, under the provisions of Article III of the Agreement (Note to Article III of the Arrangement and Rule 18 of the Rules of Procedure).
DOMESTIC POLICIES AND TRADE MEASURES

The Meat Import Act has been passed by Parliament and came into effect on February 11, 1982.

The Act allows the Minister of Agriculture, with the concurrence of the Minister of Industry, Trade and Commerce, to establish annual beef import levels on the basis of a prescribed formula and certain other considerations. The formula, which largely parallels that in the U.S. Meat Import Law, incorporates an adjustment for changes in domestic disappearance and also a countercyclical adjustment to offset the cyclical pattern of domestic beef supplies. However, import levels may not be set below the Guaranteed Minimum Access Commitment (GMAC) agreed during the GATT Tokyo Round negotiations (139.2 million pounds in 1980, subsequently adjusted annually for population growth). The Act also has provision for increasing the permitted import level if exporting countries agree to restrain their exports of beef to Canada. In addition, the legislation provides that the import level generated by the formula may be adjusted or suspended, if, for example:

1. the supply of beef and other meats is inadequate to meet domestic demand at reasonable prices; or
2. the United States suspends import restrictions under the United States Meat Import Law and suspends operation of bilateral meat restraint agreements; or
3. there are other major factors which would suggest that the import level generated by the formula should be adjusted.

To date, no announcement has been made of the beef import levels which will be in effect for 1982.
MEAT IMPORT ACT
29–30 ELIZABETH II

CHAPTER 82

An Act to regulate the importation into Canada of fresh, chilled and frozen meat and to amend the Export and Import Permits Act

[Assented to 18th December, 1981]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

1. This Act may be cited as the Meat Import Act.

INTERPRETATION

2. In this Act,

"meat" means fresh, chilled and frozen beef and veal;

"Minister" means the Minister of Agriculture.

IMPORT RESTRICTIONS

3. (1) The Minister may, by order, with the concurrence of the Minister of Industry, Trade and Commerce,

(a) on or before the 1st day of December in any year or as soon as practicable thereafter, after taking into account the formula and considerations set out in the schedule and consultations with states exporting meat to Canada, establish such restrictions on the quantity of meat that may be imported into Canada in the following year as the Minister considers appropriate; or
(b) adjust, suspend or revoke any restrictions established under paragraph (a).

(2) Where a state agrees to restrain or otherwise voluntarily restrains the quantity of its exports of meat to Canada, the Minister may, by order, with the concurrence of the Minister of Industry, Trade and Commerce, suspend or revoke any restrictions established under subsection (1) or adjust such restrictions so as to increase the quantity of meat that may be imported into Canada.

(3) Notwithstanding any restrictions established under subsection (1), the Minister may, by order, with the concurrence of the Minister of Industry, Trade and Commerce, permit the importation of meat into Canada in excess of the quantity authorized by those restrictions where the supply of beef, veal and other meats in Canada is, in his opinion, inadequate in relation to domestic requirements.

4. Except as provided for in the General Agreement on Tariffs and Trade, the Minister may not establish under this Act restrictions on the quantity of meat that may be imported into Canada that would result in a quantity that is less than the minimum global access commitment agreed to by Canada in multilateral trade negotiations under that Agreement.

CUSTOMS DOCUMENTS

5. (1) Where the Minister notifies the Minister of National Revenue that he requires copies of invoices of goods imported into Canada or of other customs documents relating thereto for the purpose of carrying out his duties under this Act, the Minister of National Revenue may, notwithstanding subsection 172(3) of the Customs Act, make such copies available to the Minister or to persons employed in the Department of Agriculture who have been designated by the Minister for the purposes of this section.

(2) Except for the purposes of a prosecution under subsection (4) or (5), but subject to subsection (3),
(a) no person, other than a person who
has been designated by the Minister for
the purposes of this section, shall be per­
mitted to examine copies of invoices or
other documents made available by the
Minister of National Revenue pursuant to
subsection (1); and

(b) no person who has examined any such
copy shall disclose or knowingly cause to
be disclosed, by any means, any particu­
lars obtained in the course of the examina­
tion in such manner that it is possible from
such disclosure to relate the information to
any identifiable importer or agent of cus­
tomer of an importer.

(3) The Minister may, by order, authorize
the following information to be disclosed:

(a) information relating to a person or
organization in respect of which disclosure
is consented to in writing by the person or
organization concerned;

(b) information relating to a business in
respect of which disclosure is consented to
in writing by the owner for the time being
of the business; and

(c) information available to the public
under any statutory or other law.

(4) Every person who knowingly contra­
venes subsection (2) is guilty of an offence
and is liable on summary conviction to a fine
not exceeding one thousand dollars or to
imprisonment for a term not exceeding six
months or to both.

(5) Every person who, having been desig­
nated by the Minister for the purposes of this
section, uses any information obtained in the
examination of copies of invoices or other
documents made available by the Minister of
National Revenue pursuant to subsection (1)
for the purpose of speculating in any stocks,
bonds or other security or in any product or
article is guilty of an offence and is liable on
summary conviction to a fine not exceeding
one thousand dollars or to imprisonment for
a term not exceeding six months or to both.

(6) Except for the purposes of a prosecu­
tion under subsection (4) or (5), any copy of
an invoice or other document made available
by the Minister of National Revenue pursuant to subsection (1) is privileged and shall not be used as evidence in any proceedings whatever, and no person who has been designated by the Minister for the purposes of this section shall, by an order of any court, tribunal or other body, be required in any proceedings whatever to give oral testimony or to produce any copy of an invoice or other document with respect to any information obtained pursuant to this section.

ADVISORY COMMITTEE

6. (1) The Minister shall appoint an advisory committee consisting of a chairman and not less than two and not more than four other members representative of the meat industry and consumers.

(2) If a member of the advisory committee is absent or unable to act, the Minister may appoint a temporary substitute member, representative of the same sector as the member replaced, on such terms and conditions as the Minister may prescribe.

(3) The advisory committee established under subsection (1) shall meet at the call of the Minister and shall advise the Minister with respect to such matters relating to the importation of meat into Canada as are referred to it by the Minister.

(4) The members of the advisory committee may be paid for their services such remuneration and expenses as are fixed by the Governor in Council.

ANNUAL REPORT

7. As soon as practicable after the 31st day of December in each year, the Minister shall prepare and lay before Parliament a report of the operations under this Act for that year.

COMMENCEMENT

8. This Act shall come into force on a day to be fixed by proclamation.
SUBMITTED FOR REVIEW

SCHEDULE

(subsection 3(11))

1. Before establishing restrictions on the quantity of meat that may be imported into Canada pursuant to subsection 3(1) of the Act, the Minister shall take into account the average level of beef or veal imports (tariff item 701-1) in the base period 1971-1975 adjusted annually for changes from the base period in the domestic disappearance of beef or veal with a further adjustment giving recognition to the cyclical nature of domestic supplies and any other adjustments warranted by the other considerations set out below.

2. (a) Adjustment for Domestic Disappearance
This adjustment shall be determined by a three year moving average based on the current year and two preceding years as compared to average domestic disappearance in the base period 1971-1975.

(b) Adjustment for Cyclical Changes in Domestic Supplies
This adjustment shall be determined by a five year moving average of annual cow and heifer marketings (current and the four preceding years) as compared to a two year moving average of annual cow and heifer marketings (current year and one preceding year.)

(c) Other Adjustment
The adjustments outlined in paragraphs (a) and (b) may not, at times, yield changes in import levels consistent with changes in
market requirements. Regardless of the level of imports indicated by the foregoing, if the average per capita domestic disappearance for the three year period centred on the current year (with a projection of domestic disappearance for the year for which import levels are to be established) is below the average per capita domestic disappearance for the three year period centred on the year preceding the current year, then, at a minimum, import levels shall increase proportionately to the expected increase in population.

3. The Minister shall also take into account the following considerations:

(a) the supply and price of beef, veal and other meats in Canada;

(b) any significant changes in conditions, such as health measures or trade restrictions unrelated to this Act, affecting trade between Canada and other states in cattle, beef or veal; and

(c) such other factors as the Minister considers relevant.

4. The formula derived from paragraphs 2(a) and (b) may be represented as:

\[
\text{Import level for year ahead} = \frac{\text{5-year average (1971-75) imports} \times \text{3-year average (current year and preceding 2 years) domestic disappearance}}{\text{5-year average (1971-75) domestic disappearance}} \times \frac{\text{5-year average (current and preceding 4 years) domestic cow and heifer marketings}}{\text{2-year average (current and preceding year) domestic cow and heifer marketings}}}
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