THIRD COMMITTEE: COMMERCIAL POLICY

SUB-COMMITTEE C ON GENERAL COMMERCIAL PROVISIONS (ARTICLES 32-39)

AGENDA FOR NINTH MEETING

To be Held on 7 January 1948, 10.30 a.m. in Conference Room B

Chairman: Mr. C. E. MORTON (Australia)

(Reference: E/CONF.2/C.3/10)

CONTINUATION OF DISCUSSION OF ARTICLE 33 - ANTI-DUMPING AND COUNTERVAILING DUTIES

1. **Paragraph 5**
   
   Discussion of the last sentence (paragraph 7 of the Cuban amendment - Item 10).

2. Report of the Working Party on the following amendments:
   
   - **Paragraph 6** - deletion of this paragraph (Cuba - Item 10; China, India and Pakistan - Item 21; Mexico - Item 22 and Syria and Lebanon - Item 23):
   
   - **Paragraph 1** - definition and condemnation of dumping; definition of margin; redraft of paragraphs 1 and 2 (Cuba - Item 10);
   
   - condemnation of dumping (Syria and Lebanon - Item 11; China - Item 13, Argentina - Item 12 and Mexico - Item 14, both withdrawn in favour of the Cuban amendment - Item 10).
   
   Reference to Article 40 (Note - Geneva Draft - Item 24)

3. ** Entire Article**
   
   Re-arrangement of paragraphs (Philippines - Item 25)

**ARTICLE 34 - VALUATION FOR CUSTOMS PURPOSES**

4. **Paragraph 2**
   
   **Note** - Geneva Draft (Item 26) regarding the expression 'at the earliest practicable date'.

   Deletion of the words 'upon request by another Member' (Argentina - Item 27)

5. **Paragraph 3**
   
   **Sub-Paragraph (a)**

   Temporary binding of 'actual value' of goods to be permissible.

   (Uruguay - Item 28)
Sub-Paragraph (b)

'Actual value' based on ascertained average value to be permissible if adjusted in cases of considerable price fluctuation (Chile - Item 29).

Prices of government contracts to be regarded as 'actual value' (Uruguay - Item 30).

Notes - Geneva Draft:

Item 31 - 'actual value' represented by invoice price

Items 32 and 33 - the expression 'in the ordinary course of trade' in conjunction with 'under full competitive conditions' explained;

Item 34 - the meaning of sub-paragraphs (a) and (b) of paragraph 3.

6. Paragraph 5

The deletion of this paragraph (Argentina - Item 35)

Sub-Paragraph (d)

To apply also in case of a decrease of the amounts of duty payable (Uruguay - Item 36)

7. NEW PARAGRAPH

Consultation with customs authorities before dispatching the goods (Uruguay - Item 37).