Article 27

Non-Discriminatory Administration of Quantitative Restrictions

1. No prohibition or restriction shall be applied by any Member on the importation of any product of any other Member country or on the exportation of any product destined for any other Member country, unless the importation of the like product of all third countries or the exportation of the like product to all third countries is similarly prohibited or restricted.

2. [This paragraph was referred to an ad hoc drafting group.]

3. (a) In cases where import licences are issued in connection with import restrictions, the Member applying the restriction shall provide, upon the request of any Member having an interest in the trade in the product concerned, all relevant information as to the administration of the restriction, the import licences granted over a past recent period and as to the distribution of such licences among supplying countries Provided, however, that there shall be no obligation to supply information as to the names of importing or supplying enterprises.

(b) In the case of import restrictions involving the fixing of quotas (whether or not allocated among supplying countries), the Member applying the restrictions shall give public notice of the total quantity or value of the product or products, which will be permitted.
be permitted to be imported during a specified future period and of any change in such quantity or value.*

(c) In the case of quotas allocated among supplying countries, the Member applying the restriction shall promptly inform all other Members having an interest in supplying the product concerned of the shares in the quota, by quantity or value, currently allocated to the various supplying countries.**

4. With regard to restrictions imposed in accordance with sub-paragraph (d) of paragraph 2 of this Article or under sub-paragraph (e) of paragraph 2 of Article 25, the selection of a representative period for any product and the appraisal of any special factors affecting the trade in the product shall be made initially by the Member imposing the restriction. Provided that such Member shall, upon the request of any other Member having a substantial interest in supplying that product or upon the request of the Organization, consult promptly with the other Member or with the Organization regarding the need for an adjustment of the base period selected or for the re-appraisal of the special factors involved.

5. The provisions of this Article shall apply to any tariff quota established or maintained by any Member.

--- Article 28

Exceptions to the Rule of Non-Discrimination

1. The provisions of this Section shall not preclude

(a) restrictions with equivalent effect to exchange restrictions authorized under Section 3 (b) of Article VII of the Articles of Agreement of the International Monetary Fund;

* Agreed subject to the revision of paragraph 2.

** Sub-paragraphs (b) and (c) were referred for redrafting to the Legal Drafting Sub-Committee so that the concept that public notice should be given in the cases foreseen under paragraph (c), should be incorporated.
(b) prohibitions or restrictions in accordance with sub-paragraphs 2 (a) (i) or 2 (d) of Article 25;

(c) conditions attaching to exports which are necessary to ensure that an exporting country receives for its exports its own currency or the currency of any member of the International Monetary Fund specified by the exporting country;

(d) restrictions in accordance with Article 26 which either

(i) are applied otherwise consistently with Article 27 against imports from other countries by a group of territories with common quota in the International Monetary Fund or

(ii) assist in the period until 31 December 1951, by measures not involving substantial departure from the provisions of Article 27, a country whose economy has been disrupted by war both

(iii) provide a Member with additional imports above the maximum total of imports which it could afford in the light of the conditions in paragraph 2 of Article 26, if its restrictions were consistent with Article 27, and

(iv) have equivalent effect to exchange restrictions, which are permitted to that Member under the Articles of Agreement of the International Monetary Fund or under the terms of any special exchange agreement, which may have been made between the Member and the Organization under Article 29 PROVIDED that a Member, which is not imposing restrictions on payments and transfers for current international transactions, may apply import restrictions under (iii) of this sub-paragraph in special circumstances and only with the prior approval of the Organization in agreement with the International Monetary Fund.
2. If the Organization finds, after consultation with the International Monetary Fund on matters within the competence of the Fund, that import restrictions or exchange restrictions on payments and transfers in connection with imports are being applied by a Member in a discriminatory manner inconsistent with the exceptions provided under this Article or in a manner which discriminates unnecessarily against the trade of another Member, the Member shall within sixty days remove the discriminations or modify them as specified by the Organization PROVIDED that a Member may, if it so desires, consult with the Organization to obtain its previous approval for discriminations, under the procedure set forth in paragraph 3 (c) of Article 26 and to the extent that such approval is given, the discriminations shall not be open to challenge under this paragraph.

3. When three-quarters of the Members of the Organization have accepted the obligations of Article VIII of the Articles of Agreement of the International Monetary Fund, but in any event before 31 December 1951, the Organization shall review the operations of this Article, in consultation with the International Monetary Fund, with a view to the earliest possible elimination of discriminations, under sub-paragraphs 1 (d) (iii) and (iv) of this Article, which restrict the expansion of world trade.