

5 November 1955

PREPARATION OF THE SIXTH ANNUAL REPORT UNDER ARTICLE XIV:1(g)

Information supplied in response to the questionnaire

by the Government of

A U S T R I A

Date: 1 November 1955

Question 1 - Technique of Restriction

Import and export of commodities is regulated in Austria by the provisions of the 1953 Foreign Trade Act. As already stated in the Fourth Annual Report, the general structure of this law does not deviate from the provisions of the 1951 Foreign Trade Act; consequently, the principle of a free and unrestricted exchange of goods with foreign countries is maintained. Goods which are subject to licensing on importation into Austria are enumerated in a list annexed to the Foreign Trade Act.

Liberalized commodities do not fall under the licensing system. In the course of 1955 the liberalization list for imports from OEEC countries was expanded from 60 per cent to 83.5 per cent. Furthermore, the importation of a number of commodities was liberalized with regard to the dollar area.

(i) Where import licences are issued in fulfilment of bilaterally agreed quotas, imports from countries with which no such quotas were established fall under the same licensing system.

(ii) The establishment of global quotas is admitted by the Foreign Trade Act, but up to now no such quotas were set up with regard to Austrian imports.

(iii) See answer to question (ii).

(iv) No imports are prohibited by the Austrian foreign trade régime with a view to safeguard the balance of payments or for protective reasons.

(v) In general, compensation deals are permitted only with those countries with which no clearing agreements have been entered into.

Question 2 - State Trading

Tobacco and tobacco products, salt, unprocessed raw spirit and certain products derived from unprocessed spirit are subject to government monopolies in Austria. In principle, therefore, these types of commodities may only be imported by the administration of the competent State Monopoly.

Any individual desiring to import tobacco and tobacco products, salt, unprocessed raw spirit and certain products derived from unprocessed spirit has to apply for an import licence to be issued by the monopoly, apart from the import licence required by the Foreign Trade Act. (For whisky, no import licence is required under the Foreign Trade Act.)

Question 3 - Basis of Restriction

As global quotas are not established in Austria at the present time, no comparative figures can be given.

Question 4 - Action to Avoid Damage to the Trade of Other Contracting Parties

(a)

(i) With regard to commodities where the national production is in need of protection, imports are effected on the basis of bilateral agreements or, independently of such agreements, for the sake of maintaining competition and regular channels of trade.

(ii) The importation of commercial samples is permitted within the framework of existing import regulations.

(iii) Since 1939 Austria has been a party to the treaty for the protection of industrial property (Paris Union); besides, Austria is a party to the Madrid Agreement on international registration of trade marks. In 1947 Austria signed the 1934 London Amendment to these two agreements. Within the framework of Austrian legal regulations regarding the transfer of payments to foreign countries, the interests of holders of patents, trade marks and designs protected by copyright are fully safeguarded.

(b) As pointed out in the previous Annual Reports, no import restrictions exist in Austria for the sole purpose of protecting home production. In cases where a certain degree of protection is justified, such protection is provided by the customs tariff.

Question 5 - Policy of Discrimination

In this respect Article XIV:1(b) constitutes the basis for Austria's import procedure. Wherever possibilities for payment are equal, trade partners are treated on an equal basis.

Question 6 - Considerations Affecting Source of Imports

Price levels and other commercial considerations do not play a decisive rôle in the import policy of the Austrian Government. The calculation and establishment of prices is a function of the market. Only in the case of highly excessive prices import licences may be refused in order to protect the balance of payments.

Question 7 - Import Arrangements with Other Countries

Since the last report was submitted a few additional trade agreements have been concluded. They are listed in the attached table.

Question 8 - Import Programmes for 1955

With regard to this question no changes have occurred since the last report was submitted.

Question 9 - Incidental Protective Effects of Restrictions

As already stated in response to question 4, the Austrian authorities are taking appropriate steps to minimize the incidental protective effects of import restrictions.

NOTE: The Annex to this statement will be available
 at a later stage.