

25 November 1955

ANNEX IV

QUESTIONNAIRE FOR THE PREPARATION OF ANNUAL REPORTS UNDER
ARTICLE XIV:1(g) ON THE DISCRIMINATORY APPLICATION OF
IMPORT RESTRICTIONS

General Notes

1. This questionnaire is to be answered by all contracting parties which are applying import restrictions under the provisions of Article XII. Those contracting parties which are not applying such restrictions need only notify the CONTRACTING PARTIES to that effect. Those contracting parties whose import restrictions do not deviate from the provisions of Article XIII need not answer those questions relating to discrimination.
2. The term "import restrictions" is meant to include restrictions made effective either directly or indirectly through state trading operations including the operations of enterprises to which the contracting party has granted formally or in effect exclusive or special privileges.
3. Contracting parties should furnish information and data also in respect of restrictions applied to imports into their non-metropolitan territories to which the General Agreement applies.
4. Replies to this questionnaire should be accompanied by copies of laws, decrees, etc., which are relevant to the restrictions (as well as public notices or licensing instructions issued in connection with these restrictions). Copies of bilateral agreements (excluding state trading contracts) relevant to question 9 directly affecting imports should be supplied.
5. Replies are to be submitted not later than three months prior to the opening of the Session at which the report is to be drawn up. The replies should be prepared in English and/or French. At least three copies should be sent to the Executive Secretary in Geneva by airmail and fifty copies should follow by surface mail.

A. THE SYSTEM AND TECHNIQUE OF RESTRICTION

Question 1: System of Import Control

Describe in general terms the import control system, the financial basis for the maintenance of the restrictions and the policy underlying the restrictions.

Question 2: Methods of Restrictions

Describe the method employed in applying the restrictions (e.g. individual and discretionary licensing without the fixing of quotas, the fixing of global quotas, prohibitions, any techniques other than those covered by question 11 below).

Also describe the groups of products to each method and show for each method the proportion of total imports in the last full year for which information is available.

Question 3: Non-discriminatory administration of the Restrictions

If the restrictions involve no deviation from the provisions of Article XIII, describe the methods of allotting shares in quotas to countries of supply, either by unilateral action, special arrangements, or through consultation with supplying countries.

Where the shares in quotas are allotted on the basis of "previous representative periods" state the period selected and give, by products or by group of products, the basis used for the choice (cf. Article XIII for relevant provisions).

B. DISCRIMINATORY APPLICATION OF RESTRICTIONS

Question 4: Policy of Discrimination

If restrictions are not administered in accordance with the rule of non-discrimination in Article XIII, describe the policy pursued and describe the classification of countries or currency areas for the purpose of discriminatory application of the restrictions.

Question 5: Methods of Discriminatory Restriction

This question should be answered separately with respect to each of the groups of countries or currency areas which are treated differently in the administration of restrictions.

Describe in detail (cf. the examples mentioned in question 2) the methods of restrictions applied to each of those groups or areas. Describe the groups of products subject to each method when imported from each group or area, and show for each method the proportion of total import trade in the past year from each group or area.

Question 6: Measures taken to reduce the Restrictions

Describe the measures taken in the past year, if necessary, with reference to the policy pursued and measures taken in recent years, for the liberalization of imports from any of the groups of countries or areas.

If any free list, open general licence, or any other form of listing goods for exemption from licensing requirements is in force, specify the groups of countries or areas to which the list applies, the proportion of imports on the basis of the trade of a previous year which is covered by such exemption and imports which have been admitted in the past year under such regime of liberalization.

Question 7: Effects of the Discriminatory Administration of the Restrictions

Furnish trade statistics including those for the latest available year which may help to indicate the effects of the restrictions on imports from the various groups of countries or areas. For the purpose of comparison, also furnish statistics of trade, under identical or similar grouping for a representative pre-war year.

Question 8: Considerations affecting the source of the Imports

Describe the considerations which are taken into account in determining the sources of the imports.

Contracting parties operating under Annex J should describe in addition the implementation of (i) and (ii) of paragraph 1(a) of that Annex, giving, if possible, illustrative examples with regard to (i). Contracting parties which are governed by paragraph 1(b) or 1(c) of Article IV are requested to describe the rôle played by price and other commercial considerations in determining their policy of discrimination.

Question 9: Bilateral Commitments

Describe any arrangements or agreements, with contracting parties or other countries, in respect of the importation of goods subject to import restrictions.

Describe the nature of each agreement and the extent to which they affect the pattern of trade or involve discrimination against imports from third countries (e.g. whether they provide for special quotas to the partner country, provide assurance to the partner country of availability of its general quotas, provide an undertaking to issue licences either without limit or up to the specified amounts, etc.)

Give the number of agreements of each type entered into and list the partner countries with which each type of agreement is in force.

Show, in terms of proportions of total trade or in absolute terms, the volume of trade covered by agreements of each type entered into by the contracting party.

Question 10: Other discriminatory practices affecting imports

Describe any other arrangements or restrictions, other than quantitative import restrictions, which discriminate as between different goods or as between imports from different sources of supply. For example, if foreign exchange required for import payment is not supplied freely to importers for otherwise unrestricted imports or automatically upon the issue of import licence, or if the exchange is sold at different rates, or subject to different rates of levy, according to the type of imports or the source of supply in question, the system and the methods and criteria used in deciding the limits of supply or the rates should be described.

C. STATE TRADINGQuestion 11: Import Restrictions through State Trading

Provide a general statement showing which products or groups of products are imported by the State or by the enterprises to which exclusive or special privileges have been granted. Show the proportion of such imports to total imports. Indicate whether the imports of such commodities are restricted for balance-of-payments reasons. If so, outline the methods and criteria in determining the volume to be imported. Describe any element of discrimination that may be exercised through the application of restrictions to the purchasers of state or monopoly enterprises, and the role or price and other commercial considerations in determining the source from which such imports are obtained.

D. PROTECTIVE EFFECTS OF RESTRICTIONSQuestion 12: Difficulties envisaged in eliminating the Restrictions

Describe, with respect to individual commodities or groups of commodities, any difficulties that may be envisaged in eliminating the import restrictions when it becomes possible for the contracting party to do so upon an improvement in its balance of payments. Give the historical, social and economic background of the industry in question.

Describe any steps that have been taken to eliminate the conditions which will require the continued maintenance of the restrictions beyond the time when it can be justified on financial grounds.

Question 13: Incidental Protective Effects of the Restrictions

Enumerate and describe the industries which are believed to benefit from the incidental protective effects of the restrictions.

Describe the steps taken to minimize such incidental protective effects. (Note the recommendations contained in paragraphs 18 and 19 on the CONTRACTING PARTIES' Report on the "Use of Quantitative Restrictions for Protective and other Commercial Purposes".)

Question 14: Action to avoid damage to trade of other contracting parties

Describe any action taken to allow:

- (a) the import of goods in minimum commercial quantities where their exclusion would impair regular channels of trade (with reference to the **countries** or areas of supply to which such measures apply);
- (b) the import of commercial samples.

Describe action designed to avoid, in the application of import restrictions, unnecessary damage to the commercial or economic interests of other contracting parties.

E. GENERAL CONSIDERATIONSQuestion 15: Current Programme and the Prospects.

Describe the policy and the programme for the current or the coming year in relation to the groups of countries of supply or currency areas.

Describe the prospects for the near future in general terms and add any general observations or comments which the contracting party wishes to be taken into account in the preparation of the annual report.