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**Council for Trade in Goods**  
**18 April 2001**

**INTRODUCTION OF HARMONIZED SYSTEM CHANGES INTO WTO  
SCHEDULES OF TARIFF CONCESSIONS ON 1 JANUARY 1996**

Draft Decision on Extension of Time-Limit

Members,

*Considering* that the Members of the WTO, by their Decisions of 13 December 1995, 18 July 1996, 24 April 1997, 22 October 1997, 24 April 1998, 14 October 1998, 15 June 1999, 4 November 1999, 3 May 2000, and 8 December 2000<sup>1</sup>, acting pursuant to the provisions of paragraph 3 of Article IX of the WTO Agreement, suspended the application of the provisions of Article II of GATT 1994 until 30 April 2001, for the purpose of enabling the Members listed in the Annex to implement the recommended amendments to the Harmonized System nomenclature;

*Noting* that the Members listed in the Annex have requested an extension of the waiver for reasons explained in their requests;

*Considering* that the Members concerned would need more time to proceed with consultations or possible Article XXVIII negotiations, in particular also in light of general reservations made by the other Members,

*Acting* pursuant to the provisions of paragraph 3 of Article IX of the WTO Agreement,

*Decide*, in view of the exceptional circumstances, to suspend the application of the provisions of Article II of GATT 1994, until 30 April 2002, for the purpose of enabling the Members listed in the Annex to implement the recommended amendments to the Harmonized System nomenclature, subject to the following conditions:

- (i) the Member concerned shall have submitted all documentation required under paragraph 2 of the simplified procedures adopted by the GATT 1947 Committee on Tariff Concessions to implement changes in the Harmonized System<sup>2</sup>; or if special circumstances apply, the Member concerned shall have requested technical assistance from the Secretariat for the completion of such documentation;
- (ii) the Member concerned shall, where necessary, promptly enter into negotiations and consultations with interested Members pursuant to paragraphs 1-3 of Article XXVIII of GATT 1994;

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<sup>1</sup> WT/L/124 + Corr.1, WT/L/173, WT/L/216, WT/L/243, WT/L/268, WT/L/281, WT/L/303, WT/L/338, WT/L/351, WT/L/379.

<sup>2</sup>BISD 39S/300.

- (iii) the negotiations and consultations mentioned above shall be completed not later than 30 April 2002;
- (iv) pending the entry into force of the results of the negotiations or consultations mentioned above, the other Members will be free to suspend concessions initially negotiated with the Member concerned to the extent that they consider that adequate compensation is not offered by the Member concerned.
- (v) No further extension of this waiver, on a collective basis, would be granted. However, this would not preclude Members from requesting waivers on an individual basis.

**ANNEX**

Argentina	New Zealand
Brazil	Norway
Egypt	Pakistan
El Salvador	Panama
Guatemala	Paraguay
Iceland	South Africa
Israel	Switzerland
Malaysia	Thailand
Mexico	Uruguay
Morocco	Bolivarian Republic of Venezuela

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