

**NOTIFICATION OF LAWS AND REGULATIONS UNDER
ARTICLE 12.6 OF THE AGREEMENT**

**Replies to Questions Posed by the EUROPEAN COMMUNITIES¹
Regarding the Notification of the SEPARATE CUSTOMS TERRITORY OF
TAIWAN, PENGHU, KINMEN AND MATSU²**

The following communication was received on 29 April 2003 from the Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

Q1. Art 7 and Art 16 of the legislation regarding textiles and clothing states that import quotas shall be applied on a country-by-country or region-by-region basis. Can Chinese Taipei please explain how this provision relates to Art 2.2 of the Agreement on Safeguards and the relevant provisions of the Agreement on Textiles.

Reply

Please refer to the reply to Q1 in G/SG/Q1/TPKM/2 (30 October 2002).

Q2. Art 8 of this legislation appears to be different from Art 5 of the Agreement on Safeguards. Can Chinese Taipei please explain how these provisions of Art 5 of the Agreement on Safeguards will be applied?

Reply

Please refer to the reply to Q2 in G/SG/Q1/TPKM/2 (30 October 2002).

Q3. The legislation does not mention the exceptions for Developing Country Members. Can Chinese Taipei please confirm that the provisions of Art 9 of the Agreement on Safeguards will be fully observed.

Reply

Please refer to the reply to Q3 in G/SG/Q1/TPKM/2 (30 October 2002).

Q4. Art 4 of the rules for handling import relief cases not only provides for adjustment of tariffs and import quotas as relief measures but also for financing guarantees, subsidies for technological R&D and other assistance and adjustment measures. Can Chinese Taipei please

¹ G/SG/Q1/TPKM/3

² G/SG/N/1/TPKM/2

explain how it is ensured that the obligations under Art 5.1 of the Agreement on Safeguards are complied with.

Reply

Please refer to the reply to Q4 in G/SG/Q1/TPKM/2 (30 October 2002).

Q5. The notification states that Art 27 of the rules for handling import relief cases was deleted. Can the Separate Customs Territory of Taiwan please explain how it will be ensured without this Article that the provisions of Art 7.5 and 7.6 of the WTO Safeguard Agreement are complied with?

Reply

The Rules for Handling Import Relief Cases is prescribed in accordance with the provisions of Art 18, paragraph 3 of the Foreign Trade Act. Art 27 of the Rules was deleted but reproduced in the Art 18, paragraph 4, paragraph 5, paragraph 6 of the Act (amended on 12 June 2002). It is in conformity with Art 7.5 and 7.6 of the Agreement on Safeguards.
