

WORLD TRADE ORGANIZATION

RESTRICTED

G/SCM/Q2/PER/7

31 January 1997

(97-0360)

Committee on Subsidies and Countervailing Measures

Original: Spanish

SUBSIDIES

Replies to Follow-Up Questions Posed by the EUROPEAN COMMUNITIES¹ Regarding the New and Full Notification of PERU²

The following communication, dated 22 January 1997, has been received from the Permanent Mission of Peru.

Question 1

Can Peru confirm that all exporters receive 5 per cent of f.o.b. export value in simplified drawback, even if they have not paid import duty on any of their inputs?

Reply

No. The tariff drawback is available to producing-exporting firms that have incorporated or consumed imported inputs in export products, provided those inputs are liable to all the corresponding import duties and such duties have duly been paid. The drawback procedure begins with an application to the Customs in the form of a sworn declaration, which, to be accepted, must be accompanied by the invoices and other supporting documents establishing the origin of the inputs, as well as the declaration covering their importation and settlement of the corresponding duties.

Question 2

In the above case, is the amount claimed ever reclaimed by the Government wholly or partially?

Reply

As explained above, an exporter cannot receive the 5 per cent tariff drawback without having proved that all the customs duties and other import taxes have been paid on the inputs incorporated in the exported product. If a case such as that mentioned in the above question were to occur, the application would automatically be refused because of the absence of the documentation showing that the duties in question had been paid, and therefore no refund whatsoever would be made to the exporter.

¹G/SCM/Q2/PER/5.

²G/SCM/N/3/PER.