

**JAMAICA - AGREEMENT ON IMPLEMENTATION OF
ARTICLE VII OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE 1994**

Decision

The following Decision concerning the reservation by Jamaica under paragraph 1 of Annex III of the Agreement on Customs Valuation was adopted by the Committee on 16 March 2000.¹

TAKING NOTE of the Government of Jamaica's request under Paragraph 1 of Annex III of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 ("WTO Agreement on Customs Valuation") done at Marrakesh on 15 April 1994, to extend its delay in the application of the provisions of that Agreement;

RECOGNIZING that on 9 March 1995, Jamaica became a contracting party to the WTO Agreement on Customs Valuation and invoked paragraph 1 of Article 20 of that Agreement to delay application of its provisions for a period of five years from the date of entry into force of the Agreement on 9 March 1995, and was therefore scheduled to apply the provisions of that Agreement by 9 March 2000;

NOTING that Jamaica notified the WTO on 28 April 1995 its intention to delay the application of paragraph 2(b)(iii) of Article 1 and Article 6 for a period not exceeding three years following the application of all other provisions of the WTO Agreement on Customs Valuation, as provided by Article 20:2 of the WTO Agreement on Customs Valuation;

NOTING that Jamaica notified the WTO on 28 April 1995 its reservation under paragraphs 3 and 4 of Annex III of the WTO Agreement on Customs Valuation;

CONSIDERING that Jamaica has made substantial efforts to implement the provisions of the WTO Agreement on Customs Valuation;

CONSIDERING also that Jamaica has received technical assistance and has a continuing interest in taking advantage of technical assistance in support of implementation and application of the WTO Agreement on Customs Valuation;

NOTING Jamaica's long-standing commitment and considerable efforts in reforming and modernizing its customs administration;

NOTING also Jamaica's objective of ensuring the effective implementation and administration of the WTO Agreement on Customs Valuation;

¹ See document G/VAL/M/13.

NOTING that Jamaica's authorities have established a detailed work programme², involving the relevant ministries and agency, to enable the elaboration and approval of its legislation and the completion of its domestic administrative and legal procedures, including training, dissemination of information, and other actions, for implementing and applying the WTO Agreement on Customs Valuation;

NOTING that Jamaica will limit the application of minimum values for customs valuation purposes during this requested extension in the delay of its application of the WTO Agreement on Customs Valuation to the products identified in Annex II;

NOTING further that such minimum values will be used for the purposes of addressing incidences of fraudulent invoicing in the case of the agricultural products and the absence of invoices and other undervaluation problems in the case of the used products identified in Annex II while Jamaica develops proficiency in risk management and verification;

NOTING that the Government of Jamaica will implement and apply by 30 September 2000 Paragraph 2 of the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment³;

NOTING, that the Government of Jamaica does not use or plan to use preshipment inspection services for purposes of customs valuation;

RECOGNIZING Jamaica's indication that this would be a single request for an extension to delay its implementation of the WTO Agreement on Customs Valuation;

Members, acting pursuant to the provisions of paragraph 1 of Annex III of the WTO Agreement on Customs Valuation,

DECIDE, in view of the exceptional circumstances set out above, that:

1. Subject to the terms and conditions set out hereunder, Jamaica may delay further the application of the provisions of the WTO Agreement on Customs Valuation for a period not extending beyond 9 March 2001.
2. The Government of Jamaica shall report to the Committee on Customs Valuation by 31 October 2000 on the progress in fulfilling the work program in Annex I and the status of its implementation of the WTO Agreement on Customs Valuation under the terms and conditions of this Decision.
3. The Government of Jamaica will, by May 1, 2000, notify the Committee on Customs Valuation on the basis, criteria and other relevant information for determining the minimum values for the products listed in Annex II. Such minimum values shall be made available, upon request, to other Members of the Committee on Customs Valuation.
4. The Government of Jamaica will notify the Committee on Customs Valuation of any amendments or changes to the basis, criteria and other relevant information 60 days before implementing such changes, and will not apply such changes to importations entering its customs territory prior to the completion of this 60 day notification period.

²Annex I – Work Programme.

³G/VAL/5.

5. This Decision shall not prejudice the rights and obligations of Jamaica under the WTO Agreements, in particular those rights and obligations under the WTO Agreement on Customs Valuation

ANNEX I

Activities	2000										2001			A. REMARKS
	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Passage of Legislation	←						→							5 th Draft Bill expected 25 th February
Preparation of Admin. Procedures ⁴	←							→						Completion dependent on passage of legislation.
II. TRAINING														
Training of Trainers	←→			←→		←→								Training in Sept to incorporate final legislation
Training of other staff				←					→					
Training of auditors				←			→							
Training of customs brokers														
Provisions of Infra-structure (Space, Furniture, Computers)							←				→			
Establishment of Valuation Division									←→					
Preparation of structure														Draft completed
Preparation of job descriptions	←	→												In progress
Approval of structure and classification of staff				←			→							

⁴ These are procedures which will inform both the customs and the public on how the new system will work. These procedures will provide: a step by step guide of the new system; identification of the sections of the new Legislation, Regulation and Interpretative and Explanatory Notes that are relevant to various circumstances; guidance to the officers concerning areas requiring diligence; examples of documentary evidence required; identification of areas of responsibility; and all other instructions as are necessary for implementation.

Activities	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Remarks
Recruitment/appointment							←				→			
Establishment of database computerized														
Identification of funding	←		→											
Identification of package		←		→										
Preparation of high-risk list	←		→											
Updating of list of related parties		←			→									
Design of computer linkages		←			→									
Installation of package								←		→				
Establishment of interim data-base														
Review of in-house data	←		→											
Identification of data sources				←		→								
Preparation of card system						←			→					
Publicity Campaign								←					→	
Implementation –9 th March, 2001														

ANNEX II
MINIMUM VALUES

<u>Product Description</u>	<u>HS Tariff Code</u>
Chicken Leg Quarters	0207
Fresh Vegetables	0701 to 0714
Fresh Fruit	0801 to 0810
Used Motor Vehicles	Ex 8701 to Ex 8705
Used Chassis and Bodies	Ex 8706 and Ex 8707
Used Motor Cycles	Ex 8711
Used Equipment	Ex 8426, Ex 8427, Ex 8429 and Ex 8430
