

WORLD TRADE ORGANIZATION

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(98-4744)

Working Group on
State Trading Enterprises

Original: Spanish

STATE TRADING

Notification Pursuant to Article XVII:4(a) of the GATT 1994 and Paragraph 1
of the Understanding on the Interpretation of Article XVII

PARAGUAY

Supplement

The following communication, dated 15 October 1998, has been received from the Permanent Mission of Paraguay.

I have the honour to refer to the notification to be made on state trading enterprises in Paraguay.

In this connection, the Permanent Mission wishes to inform you that at present there is no state enterprise promoting or marketing agricultural products.

Attached herewith is a copy of Decree No. 12267 of 30 January 1996, endorsing the outcome of the competitive bidding for the industrial plant of Fertilizantes Paraguayos (FERTIPAR) held by the Ministry of Agriculture and Livestock.

Presidency of the Republic
Ministry of Agriculture and Livestock

**DECREE NO. 14741 ENDORSING THE TRANSFER OF RIGHTS AND
SHARES BY MR. RAMON MARIA RAMIREZ ARRECHEA TO
GENERAL ADOLFO M. SAMANIEGO LUGO (50 PER CENT)
AND MR. JULIO FERNANDO SAMANIEGO (25 PER CENT),
OF THE TOTAL VALUE OF THE INDUSTRIAL PLANT
OF FERTILIZANTES PARAGUAYOS (FERTIPAR),
AWARDED UNDER DECREE NO. 12.267/96**

Asunción, 17 September 1996

HAVING regard to the submission by Mr. Ramón Ramírez Arrechea, according to Decree No. 12.267/96 the successful bidder for the industrial plant of Fertilizantes Paraguayos (FERTIPAR), situated in Bella Vista district (Itapúa) and identified as plots Nos. 2479 and 1677 respectively (exp. S.G. No. 17.283 of 30 August 1996), and

WHEREAS that under registered deeds Nos. 144 and 146 dated 21 August 1996 respectively, before the notary Judith Llanes Benites, Mr. Ramón María Ramírez Arrechea transferred his rights and shares in the total value of the property assigned to him, namely the industrial plant of Fertilizantes Paraguayos (FERTIPAR), to General Adolfo Samaniego Lugo (50 per cent) and Mr. Julio Fernando Samaniego (25 per cent) respectively,

That approval of the Decree transferring the rights and shares for the purpose of legalizing the transfer of property deed pursuant to Article 2 of Decree No. 12.267/96 is requested,

That the legal adviser of the Ministry of Agriculture and Livestock, in Decision A.J. No. 785 dated 9 September 1996, recommended approval of the transfer and subsequent signature of the transfer of property deed according to the clause on terms and conditions (Section 1.06, 1.13).

**THE PRESIDENT OF THE REPUBLIC OF PARAGUAY
HEREBY DECREES:**

Article 1. Approval of the transfer of rights and shares in the total value of the industrial plant of Fertilizantes Paraguayos (FERTIPAR), awarded under Decree No. 12.267 dated 30 January 1996, by Mr. Ramón María Ramírez Arrechea in favour of General Adolfo M. Samaniego Lugo (50 per cent) and Mr. Julio Fernando Samaniego (25 per cent) respectively, pursuant to registered deeds Nos. 144, 146 dated 21 August 1996.

Article 2. The legalization of the transfer of property deed for the plant of Fertilizantes Paraguayos (FERTIPAR), situated in the place called Vacay, Bella Vista district, Department of Itapúa, in favour of the aforementioned successful bidder and the assignees pursuant to Article 2 of Decree No. 12.267/96 and, for the purposes of compliance, the Minister for Agriculture and Livestock will legalize the deed before the senior notary of the Government on behalf of the State of Paraguay.

Article 3. This Decree shall be countersigned by the Minister for Agriculture and Livestock.

Article 4. For communication, publication and transmittal to the Official Registry.

HAVING REGARD to Executive Decree No. 11.328/95 authorizing the Ministry of Agriculture and Livestock to make a new call for competitive bidding for the industrial plant of Fertilizantes Paraguayos (FERTIPAR) and Decree No. 11.776/95 amending Article 2 of Decree No. 11.328, dated 16 November 1995, and

WHEREAS that the call for competitive bidding was made in the press and the acts of sale were at the premises of the Ministry of Agriculture and Livestock from nine hours and twenty minutes on 27 December 1995 with the participation of officials from the aforementioned body, the President of the Privatization Council, the Auditors of the Office of Comptroller General of the Republic, the Ministry of Finance and the Public Auctioneers appointed by the Ministry of Agriculture and Livestock,

That the record shows the reading of the Auction Decree, the terms of sale with the 25 per cent surcharge, the publication costs and the name of the purchaser of the aforementioned industrial plant,

That Article 18 of the Basic and Operational Law No. 276/94 on the Office of the Comptroller General of the Republic empowers public sector entities to carry out the procedures laid down in the Administrative Organization Law and special laws without any prior decision by the aforementioned control body,

That pursuant to the Administrative Organization Law of 9 June 1909, its amendments and additions, and Law No. 276/94, this Act must be endorsed,

In fulfilment of the aforementioned legal provisions,

THE PRESIDENT OF THE REPUBLIC OF PARAGUAY
HEREBY DECREES:

Article 1. Approval of the outcome of the competitive bidding for the industrial plant of Fertilizantes Paraguayos (FERTIPAR), carried out by the Ministry of Agriculture and Livestock and the subsequent assignment of the aforementioned industrial plant situated in Bella Vista district (Itapúa) to Mr. Ramón María Ramírez Arrechea for the sum of ₡ 1,638,592,975 (one billion six hundred and thirty eight million five hundred and ninety two thousand, nine hundred and seventy five Guaranis) comprising the following:

- (a) Plots Nos. 2479 and 1677, situated in the place called Vacay, Bella Vista district, Department of Itapúa, comprising a surface area of 18 hectares and 249 m²;
- (b) civil engineering works comprising an industrial warehouse of 3,891 m², workshops, housing, caretaker's office and weighbridges, artesian well with an above-ground reservoir, access roads and internal paths, petrol station and other minor works;
- (c) electromechanical equipment in the industrial plant with the spare parts indicated in the general inventory; and
- (d) assets according to the inventory.

Article 2. The Minister for Agriculture and Livestock shall be empowered to conclude the deed transferring the ownership to Mr. Ramón María Ramírez Arrechea in the form and according to the terms laid down in the schedule of terms and conditions for calls for competitive bidding.

Article 3. This Decree shall be countersigned by the Minister for Agriculture and Livestock.

Article 4. For communication, publication and transmittal to the Official Registry.
