

JAMAICA - ESTABLISHMENT OF A NEW SCHEDULE LXVI

Extension of Time-Limit

Decision of 13 December 1995¹

Considering that the CONTRACTING PARTIES to GATT 1947, by their Decision of 20 August 1993², suspended the application of the provisions of Article II of GATT 1947 to enable the Government of Jamaica to implement the Harmonized Commodity Description and Coding System (Harmonized System) and carry out negotiations subsequently;

Taking into account that, by successive Decisions, the time-limit of the waiver granted to Jamaica has been extended until 31 December 1995³;

Considering that the footnote to Annex IA, Section on GATT 1994, sub-paragraph 1(b)(iii) of the Agreement establishing the World Trade Organization requires the Ministerial Conference to establish at its first session a revised list of waivers granted under Article XXV of GATT 1947 and still in force on the date of entry into force of the WTO Agreement;

Considering that by a Decision of 31 January 1995⁴ the General Council established a list of waivers existing at the entry into force of the WTO Agreement, which included the waiver granted to Jamaica for the establishment of a new Schedule LXVI;

Considering that paragraph 2 of the Understanding in Respect of Waivers of Obligations under the General Agreement on Tariffs and Trade 1994 provides that any waiver in effect on the date of entry into force of the WTO Agreement shall terminate unless extended in accordance with the procedures set out in paragraph 1 of the aforementioned Understanding and those of Article IX of the WTO Agreement on the date of its expiry or two years from the date of entry into force of the WTO Agreement, whichever is earlier;

Noting that the documentation relevant to the transposition of Jamaica's Schedule into the Harmonized System was submitted on 29 September 1995, and was circulated in document G/SECRET/HS/5 on 6 October 1995;

./.

¹Adopted in accordance with the Procedures on WTO Decision-Making under Articles IX and XII of the WTO Agreement agreed by the General Council (WT/L/93).

²L/7291.

³WT/L/83.

⁴WT/L/3 + Corr.1.

Noting that the ninety-day period to request consultations or negotiations with Jamaica has not elapsed, and that it will be difficult for the Government of Jamaica to carry out and conclude consultations before 31 December 1995, in case of receipt of such requests;

Considering that the Government of Jamaica, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of Waivers of Obligations under the GATT 1994, has requested a further extension of the waiver until 30 June 1996⁵;

The General Council, acting pursuant to the provisions of Article IX of the WTO Agreement,

Decides, in view of the exceptional circumstances outlined above, to extend the waiver granted to Jamaica by the Decision of 20 August 1993, until 30 June 1996.

⁵G/L/45.