

WORLD TRADE ORGANIZATION

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Negotiating Group on Trade Facilitation

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COMMUNICATION FROM THE EUROPEAN COMMUNITIES, HONG KONG CHINA, KOREA, AND SWITZERLAND

The following communication, dated 5 April 2006, is being circulated at the request of the delegations of the European Communities, Hong Kong China, Korea, and Switzerland for consideration at the Negotiating Group meeting of 5-7 April.

PROPOSALS ON FEES AND CHARGES CONNECTED WITH IMPORTATION AND EXPORTATION

I. INTRODUCTION

1. The following proposals have been prepared for consideration by Members. The proposals are based on discussions in the Negotiating Group on Trade Facilitation, the previous proposals as compiled in document TN/TF/W/43/Rev.5, and the compilation of questions and answers in document JOB(05)/222.

A. SPECIAL AND DIFFERENTIAL TREATMENT, TECHNICAL ASSISTANCE AND CAPACITY BUILDING

2. Members have agreed that the extent and timing of entering into commitments shall be related to the implementation capacities of developing and least-developed countries. Where implementation capacities are lacking with regard to commitments on fees and charges, there are a range of ways that could be considered for addressing this. In some cases, developing and least-developed countries may require an appropriate transition mechanism to allow for the design and implementation of a new structure for fees and charges. Developed countries and international organizations with relevant experience can respond to requests for technical assistance. There may also be a role for some developing countries on technical assistance, particularly those with previous experience of reforms in this field from which lessons can be drawn.

B. SPECIFIC PROPOSALS

(a) Scope

- The provisions apply to all fees and charges imposed by customs authorities or by any other government body, including tasks undertaken on their behalf, on or in connection with importation or exportation, or as a condition for importation or exportation.

(b) Specific parameters

- Fees and charges are only imposed for services provided in direct connection with the specific importation or exportation in question.
- Fees and charges do not exceed the approximate cost of the service provided.
- Fees and charges are not calculated on an *ad valorem* basis.
- Fees and charges are not imposed with respect to consular services.
- New or amended fees and charges are not imposed until information on them is published and made readily available.

(c) Publication

- Information on fees and charges is published. The information includes the reason for the fee or charge (i.e. service provided), the responsible authority, the fees and charges that will be applied, and when and how payment is made. The information is made readily available to all interested parties and Members are informed of where this information is available.
- An adequate time period is accorded between the publication of information on new or amended fees and charges and their entry into force except when justified by legitimate public policy objectives.

(d) Periodic Review

- Each Member periodically reviews its fees and charges to ensure that they are in line with WTO commitments and with a view to consolidating them and reducing their number and diversity.
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