

**COMMUNICATION FROM NEW ZEALAND**

The following communication, dated 4 July 2006, is being circulated at the request of the Delegation of New Zealand.

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**OBJECTIVE CRITERIA FOR TARIFF CLASSIFICATION**

1. The following textual proposal is submitted by New Zealand for consideration by the Negotiating Group. It is closely based on the proposal made in the communication TN/TF/W/111 of 6 June 2006 and takes account of the discussion and other submissions on this issue in the Negotiating Group.

Textual proposal

- (a) Members shall apply criteria for the tariff classification of goods so that their classification decisions are not arbitrary or unjustifiable and do not constitute a disguised restriction on international trade.
- (b) Decisions on tariff classification which are based on the Harmonised Commodity Description and Coding System of the World Customs Organization shall be presumed to comply with the requirements of paragraph (a).

Special and differential treatment, technical assistance, and capacity building

2. For developing-country Members, especially least-developed countries, there may be a need for transition periods to allow for the amendment of relevant criteria and to allow for capacity constraints to be addressed, for example through training customs officials on how to apply the HS Convention. These issues could be taken forward through a horizontal mechanism that would, among other things, take account of the needs, priorities, concerns and implementation capacities of developing and least-developed Members in relation to commitments.

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