

**INTRODUCTION OF HARMONIZED SYSTEM 1996 CHANGES
INTO WTO SCHEDULES OF TARIFF CONCESSIONS**

Malaysia– Schedule XXXIX

Request for a Waiver

The following communication, dated 18 March 2003, has been received from the Permanent Mission of Malaysia.

With reference to the General Council decision of 8 May 2001, contained in document WT/L/400, I have the honour to submit a request for a waiver from the obligations under Article II of the GATT 1994 regarding the introduction of HS96 changes into Malaysia's schedule of tariff concessions, for one year.

This request is based on Article IX of the WTO Agreement and on the terms of the aforementioned decision of the General Council. Pursuant to the terms of the decision of the Market Access Committee, of 25 April 1995, I hereby convey the factual information on the status of the waiver for the consideration of the request by the Market Access Committee:

Date of Original Waiver

13 December 1995 (WT/L/124 and Corr.1)

Date of Submission of Relevant Documents

16 October 1996 (G/SECRET/HS96/31)
31 July 1997 (G/SECRET/HS96/31/Rev.1)

Extensions of the Waiver

18 July 1996 (WT/L/173)
24 April 1997 (WT/L/216)
22 October 1997 (WT/L/243)
24 April 1998 (WT/L/268)
14 October 1998 (WT/L/281)
15 June 1999 (WT/L/303)
4 November 1999 (WT/L/338)
3 May 2000 (WT/L/351)
8 December 2000 (WT/L/379)
8 May 2001 (WT/L/400)
13 May 2002 (WT/L/465)

Members that raised reservations regarding the introduction of HS96 changes into Malaysia's schedule

- Australia raised a general reservation on 14 January 1997 and subsequently specified concerns on 27 October 1997.
- Canada raised a general reservation on 14 January 1997 and subsequently specified concerns 27 April 1998.
- The European Communities raised a general reservation on 13 January 1997 and subsequently specified concerns on 29 April 1998.
- The Philippines raised specific concerns on 14 January 1997.
- The United States raised a general reservation on 14 January 1997 and subsequently specified concerns on 15 January 1998.

Members with which consultations have been concluded

- Australia accepted proposed corrections and withdrew the reservation on 1 March 1999.
- Canada accepted proposed corrections and on 4 October 2000 indicated preparedness to withdraw the reservation subject to notification to the Secretariat.
- The European Communities accepted proposed corrections and withdrew the reservation on 14 February 2000.
- The Philippines accepted corrections and withdrew the reservation on 24 May 2000.
- The United States accepted proposed corrections and withdrew the reservation on 18 February 1999.

Status of outstanding consultations

All consultations regarding the introduction of HS96 changes into Malaysia's schedule of tariff concessions have been completed.

Outlook for concluding the process

All that remains to be completed now is to notify the corrections to Malaysia's proposed HS96 tariff schedule. Unforeseen circumstances disabled the completion of the remaining work by 30 April 2003, i.e. the expiry date of the current waiver.
