

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

Malaysia– Schedule XXXIX

*Request for a Waiver Extension*

The following communication, dated 22 February 2005, is being circulated at the request of the Delegation of Malaysia.

With reference to the General Council decision of 17 May 2004, contained in document WT/L/569, 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)  
24 July 2003 (WT/L/529)  
17 May 2004 (WT/L/569)

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

- Australia;
- Canada;
- European Communities;
- Philippines;
- United States.

Members with which consultations have been concluded

- Australia;
- Canada;
- European Communities;
- Philippines;
- United States.

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 2005, i.e. the expiry date of the current waiver.

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