

POLAND - IMPORT REGIME FOR AUTOMOBILES

Notification of Mutually Agreed Solution

The following communication, dated 26 August 1996, from the Permanent Missions of India and Poland, is circulated at the request of those delegations.

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In accordance with Article 3.6 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, India and Poland hereby notify the Dispute Settlement Body that, with respect to the dispute "Poland's Import Regime for Automobiles" (WT/DS19/1), they have reached a mutually agreed settlement, as set forth in the attached text.

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1. The Government of Poland will establish an import quota for the total quantity of 8,000 passenger cars with engines up to 996 cubic centimetres. The quota will be administered in the form of two equal annual sub-quotas of 4,000 cars each, open for the calendar years 1996 and 1997. Portions of the sub-quotas established for 1996 and 1997 unallocated or unutilized till the 31 December 1996 and till 31 December 1997, as appropriate, will be rolled over to the year 1998 and available for allocation.
2. The quota will be established exclusively for cars bearing the certificates of origin indicating that they have been manufactured in and imported from the countries which qualify for the GSP preferences in the Polish market (The legislation stipulates that such GSP treatment is extended to countries whose per capita GDP, as shown in the official United Nations statistics published by UNCTAD, is lower than that of Poland.) and comply with other origin requirements under the current Polish legislation as well as meet the relevant Polish environmental car technical standards.
3. Cars imported into Poland under this quota will be subject to an *ad valorem* customs duty rate of 25 per cent or US\$ 800 (expressed in ECU), whichever is higher. This level of the preferential in-quota tariff rate will be constant irrespective of changes in the preferential rate established under Poland's regional agreements.