

Decision 5.1*

TERMS IN ARTICLE 8.1 (b) (iv): DEVELOPMENT

1. At its 12th Meeting, held on 9-10 May 1985, the Committee on Customs Valuation settled the question relating to the linguistic consistency in the English, French and Spanish texts of the term “development” in Article 8.1 (b) (iv) of the Agreement by inserting the following statement in the minutes of the meeting, on the understanding that this would be without prejudice to the rights and obligations under the Agreement and that members of the Committee could revert to the matter should the need arise.

2. The Parties to the Agreement considered that the terms “development” in English, “travaux d’études” in French and “creación y perfeccionamiento” in Spanish in Article 8.1 (b) are understood to exclude “research” in English, “recherche” in French and “investigación” in Spanish, as stated in paragraph 6 of VAL/W/24/Rev. 1. However, one Signatory, Argentina, considered that, as used in Article 8.1 (b), the Spanish expression “creación y perfeccionamiento” could not be interpreted as allowing any part of the value to be excluded from the “creación o perfeccionamiento”.

* This Decision was adopted by the WTO Valuation Committee at its first meeting on 12 May 1995