

## RESTRICTIVE BUSINESS PRACTICES: ARRANGEMENTS FOR CONSULTATIONS

Decision of 18 November 1960, BISD 9S/28

Having considered the report submitted by the Group of Experts, which was appointed under the Resolution of 5 November 1958, and related documents,

Recognizing that business practices which restrict competition in international trade may hamper the expansion of world trade and the economic development in individual countries and thereby frustrate the benefits of tariff reduction and removal of quantitative restrictions or may otherwise interfere with the objectives of the General Agreement on Tariffs and Trade,

Recognizing, further, that international co-operation is needed to deal effectively with harmful restrictive practices in international trade,

Desiring that consultations between governments on these matters should be encouraged,

Considering, however, that in present circumstances it would not be practicable for the CONTRACTING PARTIES to undertake any form of control of such practices nor to provide for investigations,

The CONTRACTING PARTIES,

Recommend that at the request of any contracting party a contracting party should enter into consultations on such practices on a bilateral or a multilateral basis as appropriate. The party addressed should accord sympathetic consideration to and should afford adequate opportunity for consultations with the requesting party, with a view to reaching mutually satisfactory conclusions, and if it agrees that such harmful effects are present it should take such measures as it deems appropriate to eliminate these effects, and

Decide that:

- (a) If the requesting party and the party addressed are able to reach a mutually satisfactory conclusion, they should jointly advise the secretariat of the nature of the complaint and the conclusions reached;
- (b) If the requesting party and the party addressed are unable to reach a mutually satisfactory conclusion, they should advise the secretariat of the nature of the complaint and the fact that a mutually satisfactory conclusion cannot be reached;
- (c) The secretariat shall convey the information referred to under (a) and (b) to the CONTRACTING PARTIES.