

tariffs for such purposes, the proposals of the competition policy authorities have, apparently, been implemented under cover of the various rounds of multilateral tariff negotiations; almost invariably the reductions proposed have taken place as part of wider tariff-reducing exercises. Further, during the period of voluntary wage and price restraint, the Prices and Incomes Commission chaired by Dr. J.H. Young had occasion to threaten to reduce tariffs in order to bring about a roll-back in price increases not justified by cost increases.

2 To illustrate the more conventional, more doctrinaire view, the following appears in a standard U.S. text on industrial concentration: "For the competitive approach to have any real chance of success the government must cease or alter those of its activities that lead to greater concentration and the suppression of competition. It need only stop doing some of the things it is now doing and do others in a different manner. First, the government should cease trying to protect American industries from foreign competition, particularly those that have long outlined their infant industry status". Such a formulation, which fails to take into account the fact that in a democratic society the public demands efficiency and therefore competition, but also protection, serves to obscure the current issue of whether the contingency system is particularly anti-competitive in operation. See John M. Blair: Economic Concentration/Structure, Behaviour and Public Policy, New York Harcourt Brace, 1972, p. 609.

3 GATT, 26S BISD, "Agreement on Government-Procurement", p. 33-55.

4 For federal states there may be preferences at the state or provincial level for state or provincial producers; such preferences may be implemented as a matter of administrative policy or they may be set out in public regulations governing the purchasing entities. For a review of provincial government purchasing practices in Canada, see Alan Wm. Wolff and W. Clark McFadden II, Discrimination Against Foreign Suppliers in Canadian Government Procurement /A Paper Prepared for the American Iron and Steel Institute, privately printed, Washington 1980, p. 30-41. For a short description of the practice in the German Lander, see Report to the Congress by the Comptroller General of the United States: Governmental Buy-National Practices of the United States and Other Countries — An Assessment, Washington, 1976, p. 46-49. In the United States, some state legislation which imposes "Buy-American" policies may go beyond the procurement exception to GATT Article III (which states that "national treatment" may be accorded to goods which governments purchase for their own use). One such state enactment was struck down by the courts on the basis that it conflicted with the GATT provision. See Baldwin-Lima-Hamilton Corp. case in Jackson Legal Materials, p. 612, Bethlehem Steel Corp case, loc. cit., 174, and K.S.B. Technical Sales Corp. v. North Jersey District Water Supply Com. etc. 72 American Journal of International Law, 1978, 415.

5 This issue was examined in OECD, Report of the Committee of Experts on Restrictive Business Practices: Collusive Tendering, Paris, 1976.

6 The various U.K. electricity distribution boards, and the U.K. post office telephone authorities (before privatization of British Telecom) have, on occasion, threatened to open bidding to foreign suppliers if U.K. firms continued to submit bids which the authorities considered unreasonably high. More