

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
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SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE
UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT

Summary Record of the 42nd Meeting
of Commission A held on Monday,
18 August 1947 at 10.30 a.m.,
in the Palais des Nations,
Geneva.

Chairman : Mr. Erik COLBAN (Norway)

ARTICLES 38 and 14.

Paragraph 4 of Article 38.

The CHAIRMAN opened the discussion on the proposed deletion of paragraph 4 of Article 38, which had been postponed until Article 13 (c) and paragraph 3 of Article 66 would be established.

The Delegate of FRANCE stated that he agreed to the deletion of paragraph 4 and requested that, in order to avoid an erroneous interpretation, the necessary clarification should be given to the press at a coming press conference.

The Delegate for AUSTRALIA stated that certain Australian colonial territories had an independent tariff and that the deletion of this paragraph created certain difficulties. If the extension of these tariff arrangements were covered by other provisions of the Charter, he would not make a reservation.

The Delegates for the UNITED KINGDOM and the UNITED STATES supported the proposed deletion.

The Delegates for CHILE and for LEBANON-SYRIA opposed the deletion.

After the proposal to close the debate had been accepted, it was agreed to delete paragraph 4 of Article 38 and to insert a note that certain delegates favoured its retention.

Article 14.

The Commission took the Report of the Legal Drafting Committee (E/PC/T/178) as the basis for the discussion.

The Delegates for CHILE and LEBANON-SYRIA reserved their position on the whole of Article 14.

In the French text of paragraph 1 the word "taxes" at the end of the paragraph was replaced by "impositions"; otherwise paragraph 1 was approved without change.

On paragraph 2 the Delegate for CUBA maintained his reservation and the Delegate of the NETHERLANDS reserved his position provisionally.

In sub-paragraph (b) and sub-paragraph (d) a space was left to allow for the addition of further Annexes.

In the French text the word "énumérées" was inserted in the introduction between "préférences" and "ci-après"; and the words "dans cet Annexe" and "dans ces Annexes" added at the end of sub-paragraphs (a) and (b) respectively.

The Delegate for FRANCE raised the question whether "frontier traffic" between France and Belgium-Luxembourg under a special agreement was covered under Article 38, as otherwise he would ask for a provision to be inserted in Article 14.

It was agreed that "frontier traffic" should not be defined too narrowly as it varied in each case and that the Organization would have, if necessary, to decide.

Paragraph 2 as well as paragraph 3 were approved without change.

In Annex A the words "as at 10 April 1947" were added in brackets after "India".

In the text the wording suggested by the Tariff Negotiations Working Party (E/PC/T/158) was substituted for the second paragraph.

At the end of the text a further note concerning the New Zealand film quota was added as proposed in the Report of the Special Sub-Committee on Films (E/PC/T/175).

The Delegate for CUBA withdrew his reservation to this Annex in view of it being covered by the general reservation of Article 14.

The meeting adjourned at 1.07 p.m.