

CONTRACTING PARTIES

RULES OF PROCEDURE FOR SESSIONS OF THE CONTRACTING PARTIES⁽¹⁾

CHAPTER I - SESSIONS⁽²⁾

Rule 1

Sessions of the CONTRACTING PARTIES shall be held from time to time as required. The date of each session shall be fixed by the CONTRACTING PARTIES at the previous session. A session may, however, be held at another date on the initiative of the Chairman, or at the request of a contracting party concurred in by the majority of the contracting parties. Notice of the convening of any such session shall be given to contracting parties at least twenty-one days in advance of the session.

CHAPTER II - AGENDA

Rule 2

The provisional agenda for each session shall be drawn up by the Secretary in consultation with the Chairman and shall be communicated to the contracting parties at least three weeks before the date of meeting. It shall be open to any contracting party to propose items for inclusion in this provisional agenda up to one month from the date of meeting.

Rule 3

The first item of business at each session shall be the consideration and approval of an agenda.

Rule 4

The agenda may be amended at any time or priority given to certain items.

(1) As amended up to the end of the Third Session, 13 August, 1949.

(2) Adopted on 12 August 1949 (GATT/CP.3/SR.41)

CHAPTER III - CREDENTIALS

Rule 5

Each contracting party as defined in the General Agreement on Tariffs and Trade shall be represented by an accredited representative.

Rule 6

Each representative may be accompanied by such alternate representatives and advisers as he may require.

Rule 7

The credentials of representatives shall be submitted to the Secretary at least one week before the opening of a meeting. They shall take the form of a communication from or on behalf of the Minister of Foreign Affairs authorizing the representative to perform on behalf of the contracting party the functions indicated in Article XXV of the General Agreement on Tariffs and Trade. The Chairman after consulting with the Secretary shall draw attention to any case where a representative has omitted to present his credentials in due time and form.

CHAPTER IV - OBSERVERS

Rule 8⁽¹⁾

The representatives of countries signatories of the Final Act adopted at the conclusion of the United Nations Conference on Trade and Employment at Havana which have not become contracting parties may attend meetings in the capacity of observers participating in the discussions without vote.

Rule 9⁽¹⁾

Representatives of other governments invited to the United Nations Conference on Trade and Employment and of inter-governmental organizations may attend the meetings as observers on the invitation of the CONTRACTING PARTIES and, on the invitation of the CONTRACTING PARTIES, participate without vote in accordance with the terms of such invitation.

(1) Adopted on 18 August 1948 (GATT/CP.2/SR.4)

CHAPTER V - OFFICERS

Rule 10

A Chairman and a Vice-Chairman shall be elected from among the representatives. They shall each hold office for a period of one year. Should this period expire in the interval between meetings of the CONTRACTING PARTIES, the officers concerned shall hold office until the next meeting.

Rule 11

If the Chairman is absent from any meeting or part thereof, the Vice-Chairman shall preside. If the Vice-Chairman is not available, the CONTRACTING PARTIES shall elect a chairman for that meeting or that part of the meeting.

Rule 12

If the Chairman ceases to represent a contracting party or is so incapacitated that he can no longer hold office, the Vice-Chairman shall become Chairman.

Rule 13

The Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.

Rule 14

The Chairman or the Vice-Chairman acting as Chairman shall normally participate in the proceedings as such and not as the representative of a contracting party. He may, however, at any time request that he be permitted to act in either capacity.

Rule 15⁽¹⁾

The usual duties of a secretariat shall, by agreement with the Interim Commission for the International Trade Organisation, be performed by the Executive Secretary of the Interim Commission on a reimbursable basis.

CHAPTER VI - CONDUCT OF BUSINESS

Rule 16

A simple majority of the contracting parties shall constitute a quorum

(1) Adopted on 9 September 1948 (GATT/CP.2/SR.22)

Rule 17

In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall declare the opening and closing of each meeting, shall direct the discussion, accord the right to speak, put questions to the vote, announce decisions, rule on points of order and, subject to these rules, have complete control of the proceedings. The Chairman may also call a speaker to order if his remarks are not relevant.

Rule 18

During the discussion of any matter a representative may raise a point of order. In this case the Chairman shall immediately state his ruling. If his ruling is challenged, the Chairman shall immediately submit it for decision and it shall stand unless overruled.

Rule 19

During the discussion of any matter a representative may move the adjournment of the debate. Any such motion shall have priority. In addition to the proposer of the motion, one representative may be allowed to speak in favour of, and two representatives against, the motion.

Rule 20

A representative may at any time move the closure of the debate. In addition to the mover of the motion, not more than one representative may be granted permission to speak in favour of the motion and not more than two representatives may be granted permission to speak against the motion, after which the motion shall be put to the vote immediately.

Rule 21

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the meeting, declare the list closed. He may, however, accord a right of reply to any representative if a speech delivered after he has declared the list closed makes this desirable.

Rule 22

The Chairman, with the consent of the CONTRACTING PARTIES, may limit the time allowed to each speaker.

Rule 23

Proposals and amendments shall normally be introduced in writing and circulated to all representatives not later than twelve hours before the commencement of the meeting at which they are to be discussed.

Rule 24.

If two or more proposals are moved relating to the same question, the meeting shall first vote on the most far-reaching proposal and then on the next most far-reaching proposal and so on.

Rule 25

When an amendment is moved to a proposal, the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.

Rule 26

When two or more amendments are moved to a proposal, the meeting shall vote first on the amendments farthest removed in substance from the original proposal, then, if necessary, on the amendment next farthest removed, and so on until all the amendments have been put to the vote.

Rule 27

Parts of a proposal may be voted on separately if a representative requests that the proposal be divided.

CHAPTER VII - VOTING⁽¹⁾

Rule 28

Except as otherwise specified in the General Agreement on Tariffs and Trade, decisions shall be taken by a majority of the representatives present and voting.

Rule 29

Each contracting party shall be entitled to one vote.

CHAPTER VIII - COMMITTEES

Rule 30

Such committees and sub-committees as may be necessary may be established.

(1) For rules for airmail and telegraphic ballots for purposes of certain Articles, see Annex.

Rule 31

A simple majority of the members of a committee shall constitute a quorum.

Rule 32

The provisions of Rules 16 to 29 shall be applied in the proceedings of committees.

CHAPTER IX - LANGUAGES

Rule 33

Subject to the provisions of Rule 34, English and French shall be the working languages.

Rule 34

A decision, by unanimous agreement, may be taken at any meeting to adopt a rule of procedure regarding interpretations of a more simple character than Rule 33.

CHAPTER X -- RECORDS

Rule 35

Summary records of the meetings of the contracting parties shall be kept by the Secretariat. They shall be sent as soon as possible to all representatives who shall inform the Secretariat not later than twenty-four hours after the circulation of the summary record of any changes they wish to have made.

Rule 36

Committees may decide to adopt records of a more simple form than those mentioned in Rule 35.

CHAPTER XI - PUBLICITY OF MEETINGS.

Rule 37

The meetings of the contracting parties and of committees shall ordinarily be held in private. It may be decided that a particular meeting or meetings should be held in public.

Rule 38

After a private meeting has been held, the Chairman of the body concerned may issue a communique to the press.

CHAPTER XII - REVISION

Rule 39

The contracting parties may decide at any time to revise these rules or any part of them.

A N N E X - RULES FOR AIR MAIL OR TELEGRAPHIC BALLOTS
DURING INTER-SESSION PERIODS FOR THE PURPOSES OF
PROCEDURE UNDER ARTICLES XII, XIII and XIV⁽¹⁾

Rule A:

Decisions of the CONTRACTING PARTIES may in the intervals between the sessions of the CONTRACTING PARTIES be taken by air mail or telegraphic ballot.

Rule B:

The Chairman of the CONTRACTING PARTIES, upon application by a contracting party for an air mail or telegraphic ballot or upon his own initiative, shall in each case decide whether the matter is sufficiently urgent to warrant the taking of an air mail or telegraphic ballot and whether such a procedure is practicable.

Rule C:

In any case where the Chairman of the CONTRACTING PARTIES decides that an air mail or telegraphic ballot should be taken, he shall despatch a letter or telegram to each contracting party. The letter or telegram shall contain such information as the Chairman considers necessary and a clear statement of the question to which each contracting party shall be requested to answer "yes" or "no".

Rule D:

The Chairman of the CONTRACTING PARTIES shall determine the date and hour by which votes must be received. In exceptional circumstances, the Chairman may, upon request, and at his discretion, extend the time limit for receipt of votes. Any contracting party from which a vote has not been received within such time limit shall be regarded as not voting.

(1) Adopted on 4 July 1949 (GATT/CF.3/50 and GATT/CF.3/SR.31)