

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED
LIMITED B
GATT/CP/61
26 April 1950
ORIGINAL: ENGLISH/
FRENCH

GENERAL AGREEMENT ON TARIFFS AND TRADE

DECISIONS, DECLARATION AND RESOLUTIONS

OF THE

CONTRACTING PARTIES

at the Fourth Session

Geneva, February - April 1950

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D E C I S I O N S

1. DECISION OF 2 MARCH 1950 ON ARRANGEMENTS FOR REPORTING IN ACCORDANCE WITH ARTICLE XVI*

WHEREAS the provisions of Article XVI of the General Agreement on Tariffs and Trade provide that if any contracting party grants or maintains any subsidy, including any form of income or price support, which operates directly or indirectly to increase exports of any product from, or to reduce imports of any product into, its territory, it shall notify the CONTRACTING PARTIES in writing of the extent and nature of the subsidization, of the estimated effect of the subsidization on the quantity of the affected product or products imported into or exported from its territory and of the circumstances making the subsidization necessary, and

WHEREAS certain contracting parties are applying subsidization measures as described in Article XVI but have not as yet submitted the notification required under that Article,

The CONTRACTING PARTIES AGREE

- (1) That such notification will be submitted, in accordance with the provisions of Article XVI, to the CONTRACTING PARTIES not later than August 1, 1950, and that any new measure of subsidization or modifications will be similarly notified after that date as soon as possible after they are instituted; and
- (2) That the secretariat shall transmit to each contracting party all notifications received.

2. DECISION OF 21 MARCH 1950 EXTENDING THE TIME FOR
THE SUBMISSION OF A STATEMENT, UNDER PARAGRAPH 12
OF ARTICLE XVIII, BY THE GOVERNMENT OF HAITI*

WHEREAS statements of considerations in support of the maintenance of existing measures under paragraph 12 of Article XVIII of the General Agreement on Tariffs and Trade shall be made by a contracting party within 60 days of its becoming a contracting party, and

WHEREAS the Government of Haiti, which became a contracting party on January 1, 1950, expects to be in a position to submit such a statement with respect to the measure notified by that Government on June 8, 1949, one month after the expiration of the 60-day period,

The CONTRACTING PARTIES,

EXERCISING their power of waiver under paragraph 5 (a) of Article XXV of the General Agreement on Tariffs and Trade,

DECIDE that such a statement, if submitted by the Government of Haiti on or before April 30, 1950, shall be treated as though it had been submitted within the 60-day period.

* GATT/CP.4/SR.17

3. DECISION OF 21 MARCH 1950, UNDER PARAGRAPH 12 OF ARTICLE XVIII, ON CERTAIN MEASURES NOTIFIED BY THE GOVERNMENTS OF LEBANON AND SYRIA*

WHEREAS the CONTRACTING PARTIES at their Third Session, decided under paragraph 5(a) of Article XXV of the General Agreement on Tariffs and Trade that the decision under paragraph 12 of Article XVIII of the Agreement in respect of the protective measures relating to the following items notified by the Governments of Lebanon and Syria should be given at the Fourth Session of the CONTRACTING PARTIES and that the measures might be maintained pending that decision:

	<u>Customs tariff item</u>
Fabrics of natural silk, pure or mixed	449-461
Fabrics of artificial silk, pure or mixed	470-492 (except 477 and 486a)
Hosiery	580-583 (except 580A a & b, and 581A),

WHEREAS the Governments of Lebanon and Syria were requested at the time of the decision of the Third Session to submit, if they wished to maintain the said measures, a statement in support of them at least two months before the date of the opening of the Fourth Session, and

WHEREAS the Governments of Lebanon and Syria have not indicated their desire to maintain those measures by submitting the required statement,

The CONTRACTING PARTIES

DECIDE, under paragraph 12 of Article XVIII, that no release be granted under the provisions of the Article for the maintenance of the measures relating to the aforementioned items, and

DECIDE that the decision taken at the Third Session be deemed to have expired on this day.

4. DECISION OF 21 MARCH 1950 ON THE APPLICATION OF
ANNEXY SCHEDULE XIV (NORWAY)*

CONSIDERING that paragraph 3 of the Annecy Protocol of Terms of Accession to the General Agreement on Tariffs and Trade provides that a notification of intention to apply concessions contained in Annex A thereto shall only be effective if received by the Secretary-General of the United Nations not later than April 30, 1950,

CONSIDERING that, while the Protocol of Accession was under consideration at the Third Session of the CONTRACTING PARTIES, the Government of Norway requested an extension of the period for giving such notice until June 30, 1950, because of the uncertainty that the newly elected Norwegian Storting would be able to give the necessary approval by April 30, 1950,

CONSIDERING that, action on this request having been deferred until the Fourth Session of the CONTRACTING PARTIES, the Government of Norway has renewed its request at that Session, and

BEING SATISFIED that the acceding governments (as defined in the preamble of the Annecy Protocol of Terms of Accession to the General Agreement on Tariffs and Trade) duly notified of the request of the Norwegian Government, have no objection to the extension requested,

The CONTRACTING PARTIES,

ACTING pursuant to Article XXXIII of the General Agreement on Tariffs and Trade and in view of the special circumstances referred to above,

DECIDE that, notwithstanding the provisions of paragraph 3 of the Annecy Protocol of Terms of Accession, notification by the Norwegian Government of its intention to apply the concessions provided for in Schedule XIV (Norway) annexed to the said Protocol shall be effective for all purposes of that Protocol if received by the Secretary-General of the United Nations not later than June 30, 1950, and

INSTRUCT the Executive Secretary to forward a copy of the present decision to the Secretary-General of the United Nations.

* GATT/CP.4/SR.17

5. DECISION OF 21 MARCH 1950 CONCERNING THE MEETING
OF THE CONTRACTING PARTIES REQUIRED BY ARTICLE XXIX^{x v}

The CONTRACTING PARTIES,

TAKING NOTE of the provisions of paragraph 4 of Article XXIX of the General Agreement on Tariffs and Trade that the CONTRACTING PARTIES should, under certain circumstances which have taken place, meet for a specified purpose during the month of January 1949,

TAKING NOTE of the provisions of paragraph 3 of said Article, as amended by the Protocol Modifying Part I and Article XXIX, dated September 14, 1948, that said meeting should, under certain circumstances which have taken place, be held before December 31, 1949, and

RECOGNIZING the continued uncertainty as to the appropriate time for holding said meeting,

DECIDE that said meeting shall be held at such time as may be subsequently decided by the CONTRACTING PARTIES.

^x GATT/CP.4/SR.17

6. DECISION OF 1 APRIL 1950 GRANTING A RELEASE TO THE GOVERNMENT OF CEYLON UNDER PARAGRAPH 5 OF ARTICLE XVIII IN RESPECT OF COTTON VERTIES*

The CONTRACTING PARTIES

DECIDE to grant a release under paragraph 5 of Article XVIII to Ceylon from its obligations under Article XI in respect of cotton verties, for a period of 5 years, subject to the following limitations and conditions:

- (1) in calculating the standard ratio between domestic availability and imports for the purpose of regulating imports of cotton verties under the provisions of the Industrial Products Act, Ceylon shall ensure that the figure of 400,000 square yards of domestic availability be the maximum quantity used;
- (2) the compensatory concessions negotiated with the United States of America as set out in paragraph 2(b) of the Report on the Results of Negotiations (GATT/CP.4/12) and the procedure for bringing them into effect shall be applied by Ceylon in respect of cotton verties;
- (3) India will be free to negotiate compensatory concessions in respect of verties in accordance with the provisions set out in paragraph 2 (a) of the said Report; and
- (4) The release shall become effective after the expiration of 30 days from the date of the present decision and in the absence of any objection from a contracting party claiming to be materially affected under the terms of paragraph 5 of Article XVIII.

* GATT/CP.4/SR.19

7. DECISION OF 3 APRIL 1950 GRANTING A TEMPORARY
WAIVER TO THE UNITED STATES IN RESPECT OF THE
SECOND ITEM 771 IN PART I OF SCHEDULE XX*

The CONTRACTING PARTIES,

ACTING pursuant to paragraph 5 (a) of Article XXV,

DECIDE that the obligations of the United States under Article II of the General Agreement on Tariffs and Trade shall be waived to the extent necessary to permit it to use, in place of the amount of 350,000,000 bushels specified in the second proviso to the second item 771 in Part I of Schedule XX, the amount of 335,000,000 bushels in determining the quantity subject to the reduced duty provided for therein during the twelve-months period beginning on September 15, 1950.

* GATT/CP.4/SR.20

D E C L A R A T I O N

DECLARATION OF 1 APRIL 1950 CONCERNING THE SCHEDULES
RELATING TO THE REPUBLIC OF THE UNITED STATES OF
INDONESIA*

The CONTRACTING PARTIES,

RECALLING that the Government of the Republic of the United States of Indonesia (hereinafter referred to as Indonesia) has become a contracting party under the provision contained in paragraph 4 of Article XXVI of the General Agreement on Tariffs and Trade (hereinafter referred to as the General Agreement),

CONSIDERING that the concessions relating to Indonesia are those contained in Section C in Parts I and II (nil) of Schedule II annexed to the General Agreement and in Section C in Parts I and II (nil) of Schedule II in Annex A of the Annex Protocol of Terms of Accession to the General Agreement,

CONSIDERING that, by virtue of Indonesia becoming a contracting party, both said Sections C of Schedule II have in effect become separate schedules relating to Indonesia as set forth, under the headings Schedule XXI, in the Fourth Protocol of Rectifications to the General Agreement, and

CONSIDERING further that the concessions set forth in both said Sections C of Schedules II remain applicable to New Guinea as sections of Schedules II,

DECLARE that, pending the entry into force of said Fourth Protocol of Rectifications,

- (1) The two Schedules XXI as set forth in said Fourth Protocol of Rectifications shall be treated for all practical purposes, including the preparation for and conduct of the tariff negotiations at Torquay, as schedules relating to Indonesia, and
- (2) The said Sections C shall, as provided in said Fourth Protocol of Rectifications, remain sections of the two Schedules II applicable to New Guinea.

R E S O L U T I O N S

1. RESOLUTION OF 21 MARCH 1950 INVITING CONTRACTING PARTIES TO ACCEPT ALL AMENDING PROTOCOLS WHICH HAVE BEEN DRAWN UP BY THE CONTRACTING PARTIES*

The CONTRACTING PARTIES,

TAKING NOTE that several of the protocols modifying the Articles, Annexes and Schedules of the General Agreement on Tariffs and Trade, which have been drawn up at the sessions of the CONTRACTING PARTIES and opened for signature or acceptance by all the contracting parties have not to date been accepted by all the contracting parties,

CONSIDERING that the existence of two versions of certain articles of the General Agreement, which results in contracting parties being subject to different rights and obligations, may cause confusion and impair the smooth operation of the General Agreement, and

CONSIDERING that it is their intention that a term of the accession of the governments which will participate in the Torquay tariff negotiations with a view to acceding to the General Agreement will be the acceptance of all modifications of the Agreement which have been drawn up by the CONTRACTING PARTIES

RESOLVE that the establishment of a uniform text of the General Agreement applicable to all contracting parties alike is highly desirable, and

HEREBY INVITE those contracting parties which have not signed or deposited instruments of acceptance for all the protocols modifying the Agreement to give renewed consideration to these protocols with a view to their signature or acceptance prior to the opening of the Torquay tariff negotiations on September 28, 1950.

2. RESOLUTION OF 1 APRIL 1950 CONCERNING THE
PROLONGATION OF THE ASSURED LIFE OF THE SCHEDULES
TO THE GENERAL AGREEMENT *

The CONTRACTING PARTIES,

CONSIDERING that one of the objectives of the General Agreement on Tariffs and Trade is the conclusion of reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international commerce,

CONSIDERING that Article 17 of the Havana Charter lays down the principles according to which this objective should be attained,

CONSIDERING that this objective would be furthered by prolonging the assured life of the body of tariff concessions resulting from the negotiations at Geneva and Annecy and by agreeing on additional concessions at Torquay provided that the over-all result of the three successive negotiations meets the objective stated in paragraph one above,

CONSIDERING FURTHER that the success of the tariff negotiations to be held at Torquay, commencing on September 28, 1950, would be promoted by such prolongation, in that the governments participating in those negotiations with a view to acceding to the General Agreement would have the assurance that the concessions provided for in the Schedules, from which they would benefit in exchange for the concessions granted by them, would have the same assured life as the latter concessions, and

HAVING ASCERTAINED that the governments which propose to accede to the General Agreement under the Annecy Protocol of Terms of accession are in agreement with the foregoing statements and with the purpose of this Resolution,

RECOMMEND that the contracting parties maintain beyond January 1, 1951, the assured life of the concessions already granted by them in Geneva and Annecy, and

FURTHER RECOMMEND that each contracting party take the necessary steps to be in a position at the conclusion of the Torquay negotiations to prolong until January 1, 1954, the assured life of those schedules of concessions as they would appear in the light of the Torquay negotiations.

3. RESOLUTION OF 3 APRIL 1950 CONCERNING THE ACCEPTANCE OF SPECIAL EXCHANGE AGREEMENTS BY THE GOVERNMENTS OF BURMA, HAITI AND PAKISTAN *

The CONTRACTING PARTIES,

CONSIDERING that it was resolved on June 20, 1949, at the Third Session that each existing contracting party which on the first day after November 1, 1949, when the CONTRACTING PARTIES were in session was not a member of the International Monetary Fund should enter into a special exchange agreement, in the terms of the text adopted at that Session, and that each government which became a contracting party after the date of that resolution should likewise enter into a special exchange agreement within four months after its becoming a contracting party if it were not then a member of the Fund.

CONSIDERING that the Governments of Haiti and Pakistan have reached an advanced stage in their arrangements with the Fund for membership and both are likely to become members in the near future,

CONSIDERING that the Government of Burma, which has been prevented by abnormal and difficult circumstances from taking action pursuant to the above mentioned resolution, has expressed the likelihood of its applying for Fund membership at the earliest possible date, and

HAVING CONSULTED with the International Monetary Fund in accordance with the provisions of paragraph 6 of Article XV of the General Agreement,

RESOLVE that, notwithstanding the provisions of the said Resolution adopted on June 20, 1949 at the Third Session, instruments of acceptance of special exchange agreements deposited by the Governments of Pakistan, Burma and Haiti, if received by the Secretary-General of the United Nations on or before November 2, 1950, shall be deemed effective for all the purposes of the said Resolution adopted at the Third Session.

* GATT/CP.4/SR.21

4. RESOLUTION OF 3 APRIL 1950 CONCERNING THE ACCEPTANCE
OF A SPECIAL EXCHANGE AGREEMENT BY THE GOVERNMENT
OF NEW ZEALAND *

The CONTRACTING PARTIES,

CONSIDERING that it was resolved on June 20, 1949, at the Third Session that the Government of New Zealand would not be required to enter into a special exchange agreement until it had had an opportunity at the present session to make proposals designed to meet the special difficulties raised for that Government by the text of the special exchange agreement approved by the CONTRACTING PARTIES, and until the CONTRACTING PARTIES had fixed a date by which the Government of New Zealand should enter into a special exchange agreement if it were not then a member of the International Monetary Fund,

TAKING NOTE of the fact that the Government of New Zealand has decided not to make any proposals with respect to the text of the special exchange agreement approved by the CONTRACTING PARTIES at the Third Session, and

HAVING CONSULTED with the International Monetary Fund in accordance with the provisions of paragraph 6 of Article XV of the General Agreement,

RESOLVE that the Government of New Zealand shall enter into a special exchange agreement in the terms of the text approved at the Third Session, by depositing an instrument of acceptance on or before November 2, 1950, if by that date it is not a member of the International Monetary Fund.

* GATT/CP.4/SR.21

5. RESOLUTION OF 3 APRIL 1950 CONCERNING THE
ACCEPTANCE OF A SPECIAL EXCHANGE AGREEMENT
BY THE GOVERNMENT OF THE UNITED STATES OF
INDONESIA*

The CONTRACTING PARTIES,

CONSIDERING that paragraph 6 of Article XV of the General Agreement provides that any contracting party not a member of the International Monetary Fund shall, within a time to be determined by the CONTRACTING PARTIES after consultation with the Fund, become a member of the Fund or, failing that, enter into a special exchange agreement with the CONTRACTING PARTIES,

CONSIDERING that the text of the special exchange agreement has been approved by the CONTRACTING PARTIES for the purpose of giving effect to the above mentioned provisions of the General Agreement, and

HAVING CONSULTED with the International Monetary Fund in accordance with the provisions of paragraph 6 of Article XV of the General Agreement,

RESOLVE that the Government of the Republic of the United States of Indonesia shall enter into a special exchange agreement in the terms of the text approved at the Third Session, by depositing an instrument of acceptance on or before November 2, 1950, if it is not at that time a member of the International Monetary Fund.

* GATT/CP.4/SR.21

