

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

RESTRICTED  
LIMITED B  
GATT/CP/112  
26 April 1951  
ORIGINAL : ENGLISH

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CONTRACTING PARTIES

Signatures of the Torquay Final Act and  
Annexed Documents

The signatories of the documents of Torquay are as follows :

Final Act

Australia	Chile	Greece	Peru
Austria	Cuba	India	Philippines
Belgium	Czechoslovakia	Indonesia	S. Rhodesia
Brazil	Denmark	Italy	Sweden
Burma	Dominican	Luxemburg	Turkey
Canada	Republic	Netherlands	South Africa
Ceylon	Finland	New Zealand	United Kingdom
	France	Norway	United States
	Germany	Pakistan	Uruguay

Decisions on Austria, Peru, Philippines & Turkey

Belgium	Greece
Ceylon	Italy
Cuba	Luxemburg
Czechoslovakia	Netherlands
Denmark	New Zealand
Dominican Republic	Norway
France	Sweden
	United States

Decision on Germany

Belgium	Italy
Ceylon	Luxemburg
Cuba	Netherlands
Denmark	New Zealand
Dominican Republic	Norway
France	Southern Rhodesia
Greece	Sweden
	United States.

Decision on Korea

Belgium	Italy
Ceylon	Luxemburg
Cuba	Netherlands
Denmark	New Zealand
Dominican Republic	Norway
France	Sweden
Greece	United States

Torquay Protocol

Belgium	France
Ceylon	Greece
Cuba	Luxemburg
Dominican Republic	Netherlands
	United States

Declaration

Australia	Czechoslovakia	Netherlands
Belgium	Dominican Republic	New Zealand
Canada	France	Southern Rhodesia
Ceylon	Greece	Sweden
Chile	India	South Africa
Cuba	Luxemburg	United Kingdom
		United States

Denmark, Finland, Indonesia, Italy, Liberia, Norway and Pakistan were not able to sign the Declaration but gave undertakings to observe the provisions of the Declaration in letters which are reproduced as an annex to this document.

Invocation of Article XXXV

Cuba invoked the provisions of Article XXXV with respect to all the acceding governments (that is, Austria, Germany, Korea, Peru, Philippines and Turkey). See document GATT/CP/111.

The United States invoked the provisions of Article XXXV with respect to the Philippines. See document GATT/CP/109.

A N N E XLetters concerning the DeclarationDenmark

dated 16 April 1951

"I have the honour to refer to the Declaration on the continued application of the Schedules to the General Agreement on Tariffs and Trade, which has been opened for signature to-day by Contracting Parties to the General Agreement, and to advise you that it will not be possible for the Government of Denmark to sign this Declaration at the present time.

"The amendment of paragraph 1 of Article XXVIII to prolong the assured life of the concessions provided for in Schedule XXII annexed to the Ancey Protocol of Terms of Accession, and likewise the Declaration to which I have referred, could be accepted only with the express approval of the Danish Parliament and this approval cannot be obtained until Parliament has examined the results of the negotiations now concluded at Torquay. As yet there has been no opportunity for Parliament to examine these results or to take a decision on the prolongation of the Ancey Schedule. I have been instructed by my Government, therefore, to give to the Contracting Parties, and to the other Governments which participated in the Torquay Conference, an undertaking that my Government intends to observe on a reciprocal basis the provisions of the Declaration not to invoke paragraph 1 of Article XXVIII pending a decision on this matter by Parliament. Should Parliament approve the prolongation of the assured life of Schedule XXII, this undertaking will remain in force until the amendment of Article XXVIII becomes effective in respect of Denmark.

"I should be grateful if you would kindly inform the Contracting Parties and the Governments which participated in the Torquay Conference accordingly."

Finland

dated 21 April 1951

"I have the honour to refer to the Declaration on the continued application of the Schedules to the General Agreement on Tariffs and Trade, which has been opened for signature today by contracting parties to the General Agreement, and to advise that it will not be possible for the Government of Finland to sign this Declaration.

"The amendment of paragraph 1 of Article XXVIII to prolong the assured life of the concessions provided for in Schedule XXIV annexed to the Annex Protocol of Terms of Accession, and likewise the Declaration to which I have referred, could be accepted only with the express approval of the Finnish Parliament. As yet there has been no opportunity for Parliament to take a decision on the prolongation of the Annex Schedule. I have been instructed by my Government, therefore, to give to the contracting parties, and to the other Governments which participated in the Torquay Conference, an undertaking that my Government intends to observe on a reciprocal basis the provisions of the Declaration not to invoke paragraph 1 of Article XXVIII pending a decision on this matter by Parliament. Should Parliament approve the prolongation of the assured life of Schedule XXIV, this undertaking will remain in force until the amendment of Article XXVIII becomes effective in respect of Finland.

"I should be grateful if you would kindly inform the contracting parties and the Governments which participated in the Torquay Conference accordingly."

Indonesia

dated 21 April 1951

"I have the honour to refer to the Declaration on the continued application of the Schedules to the General Agreement on Tariffs and Trade, which has been opened for signature today by contracting parties to the General Agreement, and to advise that it will not be possible for the Government of Indonesia to sign this Declaration.

"The amendment of paragraph 1 of Article XXVIII to prolong the assured life of the concessions provided for in Schedule XXI, and likewise the Declaration to which I have referred, could be accepted only with the express approval of the Indonesian Parliament and this approval cannot be obtained until Parliament has examined the results of the negotiations now concluded at Torquay. As yet there has been no opportunity for Parliament to examine these results or to take a decision on the prolongation of the Schedule. I have been instructed by my government, therefore, to give to the Contracting Parties, and to the other Governments which participated in the Torquay Conference, an undertaking that my Government intends to observe on a reciprocal basis the provisions of the Declaration not to invoke paragraph 1 of Article XXVIII pending a decision on this matter by Parliament. Should Parliament approve the prolongation of the assured life of Schedule XXI, this undertaking will remain in force until the amendment of Article XXVIII becomes effective in respect of Indonesia.

"I would be grateful if you would kindly inform the contracting parties and the governments which participated in the Torquay Conference accordingly."

Italy (translation)

dated 21 April 1951

"Upon the instructions of my government I have the honour to transmit to you the following communication:

"The Italian Government is unable, for constitutional reasons, to sign the Declaration on the Continued Application of the Schedules to the General Agreement on Tariffs and Trade.

"Nevertheless the Italian government, wishing to contribute as far as possible to the stability of the results of the tariff negotiations carried out under the General Agreement, undertakes, on condition of reciprocity, not to invoke the provisions of Article XXVIII:1 of the General Agreement in its present form until the amendment of the date which appears in the first paragraph of the said article has been accepted by the Italian government in conformity with its constitutional procedures.

"If this amendment is not accepted by the Italian government, or if it does not enter into effect for lack of approval by the two-thirds majority of the Contracting Parties which is required under the terms of Article XXX of the General Agreement, this undertaking of the Italian Government will be no longer operative."

Liberia

dated 21 April 1951

"I have the honour to refer to the Declaration on the continued application of the Schedules to the General Agreement on Tariffs and Trade, which has been opened for signature today by contracting parties to the General Agreement, and to advise that it will not be possible for the Government of Liberia to sign this Declaration.

"The amendment of paragraph 1 of Article XXVIII to prolong the assured life of the concessions provided for in Schedule XXIX, and likewise the Declaration to which I have referred, could be accepted only with the express approval of the Liberian Parliament and this approval cannot be obtained until Parliament has examined the results of the negotiations now concluded at Torquay. As yet there has been no opportunity for Parliament to examine these results or to take a decision on the prolongation of the Schedule. I have been instructed by my Government, therefore, to give to the contracting parties, and to the other governments which participated in the Torquay Conference, an undertaking that my government intends to observe on a reciprocal basis the provisions of the Declaration not to invoke paragraph 1 of Article XXVIII pending a decision on this matter by Parliament.

Should Parliament approve the prolongation of the assured life of Schedule XXIX, this undertaking will remain in force until the amendment of Article XXVIII becomes effective in respect of Liberia.

"I would be grateful if you would kindly inform the contracting parties and the governments which participated in the Torquay Conference accordingly."

Norway

dated 21 April 1951

"I have the honour to refer to the Declaration on the continued application of the Schedules to the General Agreement on Tariffs and Trade, which has been opened for signature today by contracting parties to the General Agreement, and to advise that it will not be possible for the Government of Norway to sign this Declaration.

"The amendment of paragraph 1 of Article XXVIII to prolong the assured life of the concessions provided for in Schedule XIV and likewise the Declaration to which I have referred, could be accepted only with the express approval of the Norwegian Parliament and this approval cannot be obtained until Parliament has examined the results of the negotiations now concluded at Torquay. As yet there has been no opportunity for Parliament to examine these results or to take a decision on the prolongation of the Schedule. I have been instructed by my Government, therefore, to give to the contracting parties, and to the other governments which participated in the Torquay Conference, an undertaking that my government intends to observe on a reciprocal basis the provisions of the Declaration not to invoke paragraph 1 of Article XXVIII pending a decision on this matter by Parliament. Should Parliament approve the prolongation of the assured life of Schedule XIV, this undertaking will remain in force until the amendment of Article XXVIII becomes effective in respect of Norway.

"I would be grateful if you would kindly inform the contracting parties and the governments which participated in the Torquay Conference accordingly."

Pakistan

dated 21 April 1951

With reference to the Declaration prepared at the Fifth Session of the Contracting Parties to the General Agreement on Tariffs and Trade, indicating extension to the concessions negotiated at the Geneva and Annecy sessions of the Contracting Parties for a period of three

years with effect from 1st January 1951, it is agreed, on behalf of Pakistan, that, pending final approval by the Government of Pakistan of the terms of the Declaration, Pakistan shall not invoke Article XXVIII, paragraph 1, for the purpose of securing modification of the concessions which are the subject of the Declaration."

