

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

CWP/13

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Working Party on Commodity Problems

## DOCUMENT CIRCULATED BY AUSTRALIAN REPRESENTATIVE

The following document are circulated in connexion with a statement which the Australian representative will make to the Working Party.

### ARTICLE - : CONDITIONS OF REGISTRATION

1. The Standing Committee shall register a commodity arrangement submitted to it by a contracting party to the arrangement unless it is satisfied that:
  - (a) the commodity arrangement does not meet the objectives set out in this Decision; or
  - (b) the commodity arrangement is more restrictive of production, consumption or trade in the commodity or commodities concerned than is necessary to carry out the objectives of the arrangement; or
  - (c) the interests of a Signatory or of a contracting party having a substantial interest in the trade in the commodity concerned are likely to be seriously prejudiced by the commodity arrangement; provided that if it is satisfied that the contracting party concerned has had full opportunity of participating in the relevant negotiations, and that the benefits to participating countries substantially outweigh any injury which may result to the trade of another contracting party, it shall not refuse to register the arrangement under this sub-paragraph; or
  - (d) where the arrangement is one in which the participating countries are responsible for only a limited volume of the world production, consumption or trade in the commodity concerned, it will not prejudice a more general solution to the problems of that commodity.
2. The Standing Committee shall examine promptly the text of any arrangement submitted for registration and deliver an opinion within 60 days as to whether or not the arrangement can be registered in accordance with paragraph 1.

3. If the Standing Committee finds that the arrangement does not qualify for registration it shall specify the grounds for this finding. If such finding is made under paragraph 1(c), the Standing Committee may assist in negotiations between the participating countries and other countries concerned regarding the need to adjust the arrangement in order to avoid serious prejudice to the interests of any Signatory or contracting party to the GATT. Unless the Standing Committee is satisfied after sixty days that the participating countries have unreasonably failed to make the adjustments or to allow the complaining party to participate, it shall register the agreement.
4. Where special circumstances exist the Standing Committee may accord provisional recognition to an arrangement that does not fully qualify in terms of paragraph 1 and require that during the period of provisional application provision shall be made to adjust the agreement.
5. Provisional registration shall operate for a period of not more than twelve months after entry into force of the arrangement. It may be extended for additional periods of no more than twelve months.
6. Decisions of the Standing Committee not to register an agreement may be reviewed by the Assembly at its annual sessions or at a special session if challenged by a signatory.