

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

G/38
12 December 1952

General Distribution

Original: English/
French

SECOND PROTOCOL OF SUPPLEMENTARY CONCESSIONS

(Austria - Germany)

The tariff negotiations between the Governments of Austria and Germany, first announced in GATT/AIR/26 and 27 and which opened at Geneva on 15 October 1952, under the procedures laid down in GATT/CP.6/34 (Basic Instruments and Selected Documents, Volume I, Page 116), were concluded at Innsbruck on 22 November 1952.

The Second Protocol of Supplementary Concessions, drawn up in accordance with the model approved at the Sixth Session, is herewith reproduced. The protocol will be open for signature at the Headquarters of the United Nations until 22 May 1953. Each schedule will enter into force and will become a Schedule to the General Agreement thirty days after signature by the government concerned.

SECOND PROTOCOL OF SUPPLEMENTARY CONCESSIONS TO
THE GENERAL AGREEMENT ON TARIFFS AND TRADE

(Austria and Germany)

The governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "the contracting parties" and "the General Agreement" respectively), having agreed upon procedures for putting into effect under the General Agreement the results of tariff negotiations between two or more contracting parties, and

The governments of the Republic of Austria and the Federal Republic of Germany which are contracting parties to the General Agreement (hereinafter referred to as "negotiating contracting parties"), having carried out tariff negotiations, and being desirous of so giving effect to the results of these negotiations,

IT IS AGREED:

1. On the thirtieth day following the day upon which this Protocol shall have been signed by either negotiating contracting party, the schedule relating to that contracting party annexed hereto shall enter into force and shall be regarded as a schedule to the General Agreement relating to that contracting party.
2. Either negotiating contracting party which has signed this Protocol shall be free at any time to withhold or to withdraw in whole or in part any concession, provided for in the appropriate schedule annexed to this Protocol if the other contracting party has not signed this Protocol.

Provided that

- (i) the negotiating contracting party withholding or withdrawing in whole or in part any such concessions shall give notice to all contracting parties within thirty days after the date of such withholding or withdrawal and, upon request, shall consult with any contracting party having a substantial interest in the product involved; and
- (ii) any concession so withheld or withdrawn shall be applied on and after the thirtieth day following the day upon which the other negotiating contracting party signs this Protocol.

3. In each case in which Article II of the General Agreement refers to the date of that Agreement, the applicable date in respect of the Schedules annexed to this Protocol shall be the date of this Protocol.

4. (a) The original text of this Protocol, together with the annexes thereto shall be deposited with the Secretary-General of the United Nations and shall be open for signature by contracting parties at the Headquarters of the United Nations until 22 May 1953.

(b) The Secretary-General of the United Nations shall promptly furnish a certified copy of this Protocol and a notification of each signature to this Protocol to each contracting party to the General Agreement, to any other member of the United Nations and to any other government which participated in the United Nations Conference on Trade and Employment.

(c) The Secretary-General is authorized to register this Protocol in accordance with Article 102 of the Charter of the United Nations.

5. The date of this Protocol shall be 22 November 1952

DONE at Innsbruck in a single copy in the English and French languages, both texts authentic except as otherwise specified in Schedules annexed hereto.

SCHEDULE XXXII - AUSTRIA

This Schedule is authentic only in the English language.

PART I

Most-Favoured-Nation Tariff

Austrian Tariff Item Number	Description of Products	Rate of duty
ex 119	Asphalt paving slabs and stones: High pressure stamped asphalt slabs	Gold Crowns per 100 kgs 3.50
301 B	Furniture and parts thereof; clock cases:	
ex c)	Furniture and parts thereof, other:	
	1. Veneered with common wood, also those with pyroen- graved, pressed or mill- cut ornaments	80.--
	2. Of fine wood or veneered with fine wood, even fine- ly carved or turned, sculptured or combined with fine materials, ex- cept covers of any kind ...	80.--
307	Wares manufactured of turning and carving materials, combined or not with fine materials:	
ex b)	2. Of artificial horn or artificial resin:	
	Plastic foils, printed...	220.--, but not more than 30 % ad val.
316	Hollow glass, moulded and solid, n.s.m., not worked:	
ex b)	Other: Glass rods, coloured, and glass tubes, chemically and thermically resistant	19.--
354	Bricks and slabs, fireproof: Dinas, magnesite, bauxite and graphite bricks and slabs: Bauxite and graphite bricks and slabs	free

SCHEDULE XXXII - AUSTRIA

PART I (concluded)

Austrian Tariff Item Number	Description of Products	Rate of duty
441	Machines and apparatus, n.s.m.:	Gold Crowns per 100 kgs
c)	Of iron, weighing each:	
	ex 1. 10.000 kilograms or more: Ramming machines	26.--
	ex 2. Less than 10.000 kilograms and down to 1.000 kilo- grams: Ramming machines	40.--
ex 458	Parts of cycles, worked:	
NOTE 1	Parts of cycles classified under Tariff Item No. 458 d up to an annual maximum quantity of 25.000 kilograms for the manufacture and repair of cycles by craftsmen, as certified and allotted by the competent Chamber of Commerce and Industry	135.--
ex 525	Tar dyes, pure, containing not more than 30 % of diluting material:	
	Tar dyes, containing more than 30 % of diluting material	free
ex 526	Colours, n.s.m., unground:	
	Black oxide of iron	17.--
ex 534	Lacquer and lacquer varnishes, with or without colours:	
NOTE	Urea formaldehyde resin, dis- solved by volatile solvents, containing at least 60 % of dry substances, for the manufacture of lacquer, under certificate of authorized use..	80.--

PART II

Preferential Tariff

SCHEDULE XXXIII - FEDERAL REPUBLIC OF GERMANY

This Schedule is authentic only in the French language.

PART I

Most-Favoured-Nation Tariff

German Tariff Item No.	Description of Products	Rate of Duty
32 08	Mineral pigments, not elsewhere specified or included, whether or not mixed together or with extenders, including mineral pigments fortified with synthetic organic colouring matter: ex K - Iron ore, pulverized (so-called "Eisenglimmer")	5 %
49 02	Newspapers, journals, and periodicals, whether or not illustrated: ex A - Pattern imported with fashion journals and being part of them	free
ex 51 11	Loden weighing 200-620 grammes per sq. meter, complying with the samples deposited for public use, subject to producing a certificate approved by the Governments: until 31st January, 1954	12 %
ex 58 11	Chemical or burnt-out embroidery (so-called chemical or burnt-out lace); embroidery without visible ground, in the piece or in motifs, valued more than 120 up to 140 DM per kilogramme	15 %
ex 82 07	Cabbage-slicers.	12 %
84 34	Equipment for type-setting, stereotype, galvano-plastics and for photomechanical processes of all kinds, not including photographic apparatus: ex F - Rubber printing plates, with textile lining, whether or not with inlaid pasteboard	15 %

SCHEDULE XXXIII - FEDERAL REPUBLIC OF GERMANY

PART I (concluded)

NOTES ON CERTAIN PRODUCTS

Ad Item No. 51 11

Loden is a non-figured plain (i.e. dyed in the piece or made up of plain yarn) fabric or a fabric made up of melange yarn, and milled, the warp and weft of which consist of non-twisted carded wool yarn, whether or not mixed with fine hair of animals, artificial or synthetic textiles. The percentage of wool and fine animal hair must not be less than 80 per cent of the total weight, the percentage of wool, cleaned or scoured after clipping, of waste of wool or of fine animal hair (ex item No. 51 01, ex item No. 51 02 and item No. 51 03) being not less than 60 per cent of the total weight. Regarding the minima percentages the suppliers are bound to submit declarations carrying an acknowledgement issued by the competent Chamber of Commerce and Industry in Austria and approved by the contracting Governments.

The surface of loden is either smooth (loden for clothes "Anzugloden") or downy (loden for overcoats "Strichloden").

The loden samples, approved by the contracting Governments, will be deposited for public use at the General Custom Office, Munich, Landsbergerstrasse.

The deposited samples serve to show the quality of the fabrics. The colour of the fabrics (which must be plain or melange) and excess or deficiency of weight per sq. meter of the deposited samples up to 15 grammes do not influence the clearing as loden.

Austria has agreed that clearing of loden subject to reduced duty be operated at one single custom-house.

Ad Item No. 58 11

The limits of the value shall be established according to the prescriptions on Dutiable Value (Customs Tariff Law, par. 5).

In the case the evolution of economy should enforce an adjustment of the agreed limits of value, delegates of both Governments shall meet upon request of one of the interested parties in view of reaching an agreement on adjustment of such limits.

PART II

Preferential Tariff