

GENERAL AGREEMENT
ON TARIFFS AND
TRADE

RESTRICTED

L/347/Rev.1
8 March 1955

Limited Distribution

DRAFT DECLARATION ON THE CONTINUED APPLICATION
OF SCHEDULES TO THE GENERAL AGREEMENT

(Declaration of ___ March 1955)

The contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"),

CONSIDERING that, pursuant to the Declaration of 24 October 1953, the assured life of the concessions embodied in the Schedules annexed to the General Agreement will expire on 30 June 1955, in the sense that thereafter it will become possible for a contracting party by negotiation with other contracting parties to modify or cease to apply the treatment which it has agreed to accord under Article II to any products described in its Schedule,

CONSIDERING that, although by the terms of the General Agreement the Schedules would retain their validity even if their assured life were to expire, the contracting parties are desirous of continuing the assured life of the Schedules as a means of contributing to the stability which has been one of the principal achievements of the General Agreement,

CONSIDERING that the CONTRACTING PARTIES have, at their Ninth Session, drawn up and submitted to contracting parties for acceptance, a protocol modifying Article XXVIII, and Section A of Article XVIII of the General Agreement,

RECOGNIZING the desirability of applying the procedures embodied therein which have been agreed upon for the conduct of renegotiations under specified circumstances during the period of the continued life of the schedules,

HEREBY DECLARE

1. That they will not invoke after 1 July 1955 and prior to 1 January 1958 the provisions of Article XXVIII of the General Agreement to modify or cease to apply the treatment which they are required to accord under Article II (which is being amended to Article III) of the General Agreement to any product described in the appropriate schedule annexed thereto; PROVIDED

(a) the provisions of this Declaration shall not apply to concessions initially negotiated with a contracting party with respect to which this Declaration is not in effect;

(b) A contracting party which has entered into negotiations under the procedures of Article XXVIII prior to 1 July 1955 shall, notwithstanding its signature of this Declaration, be authorized to pursue such negotiations up to and including 30 September 1955, and any modification or withdrawal of a concession following such negotiations may be made effective in accordance with the provisions of Article XXVIII if it is notified to the Executive Secretary to the CONTRACTING PARTIES not later than 1 October 1955 and at least 30 days notice is given of the date on which such modification or withdrawal will become effective;

2. (a) That from 2 July 1955 until 31 December 1957, or until the day on which the amendments to Articles XVIII and XXVIII of the General Agreement, provided for in the Protocol amending Parts II and III of the General Agreement dated ____ March 1955, have entered into force, whichever is the earlier date, a contracting party signatory of this Declaration, desiring to modify or withdraw a concession, may enter into renegotiations under conditions and in accordance with procedures which are the same as those set forth in Section A of Article XVIII and paragraph 4 of Article XXVIII, together with the applicable notes thereto, as set forth in that Protocol, and any contracting party which has previously been authorized to enter into such negotiations pursuant to procedures adopted by the CONTRACTING PARTIES shall have the option to continue such negotiations under the procedures provided for in this sub-paragraph; and

(b) That they will not invoke the provisions of paragraph 2 of Article XXVIII of the General Agreement with respect to the withdrawal of equivalent concessions if another signatory of this Declaration acts under the conditions described in the second sentence of paragraph 7(b) of the amended Article XVIII.

This Declaration shall be deposited with the Executive Secretary to the CONTRACTING PARTIES to the General Agreement and, after the entry into force of the Agreement on the Organization for Trade Cooperation, with the Director-General of that Organization.

This Declaration shall be open for signature until 30 June 1955 and contracting parties shall have the option of signing the Declaration in respect of the whole of the Declaration or in respect of paragraph 1 only.

The Executive Secretary to the CONTRACTING PARTIES to the General Agreement, or the Director-General of the Organization, as the case may be, shall promptly furnish a certified copy of this Declaration and a notification of each signature thereto, to each contracting party to the General Agreement.

This Declaration shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the respective representatives, duly authorized, have signed the present Declaration.

DONE at Geneva, in a single copy, in the English and French languages, both texts authentic, this ____ day of March, one thousand nine hundred and fifty-five.