

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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CONTRACTING PARTIES  
Fourteenth Session

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## TRADE AGREEMENT - SOUTH AFRICA AND THE FEDERATION OF RHODESIA AND NYASALAND

### Adjustment of Preferences under the Decision of 3 December 1955

The following communication dated 14 April 1959 has been received from the Governments of the Union of South Africa and the Federation of Rhodesia and Nyasaland with a request that this item be included in the Provisional Agenda for the fourteenth session:

"1. The Trade Agreement between the Union of South Africa and the Federation of Rhodesia and Nyasaland which came into force on 1 July 1955, provides inter alia that certain goods grown, produced or manufactured in the territory of the one party are to be admitted into the territory of the other party free of customs duty or at special rates of duty equal to certain tariff rates levied from time to time by either of the two parties on imports from certain other countries less guaranteed rebates from such rates of a percentage or fractional nature.

"2. The tariff treatment which the two countries have contracted to accord to each other's products is defined in Articles 2, 3, 4 and 5 of the Trade Agreement read in conjunction with Annexures A, B and C (Parts I, II and III) thereto.<sup>1</sup>

"3. When the Trade Agreement between the two countries was examined by the Working Party to which this task was entrusted by the CONTRACTING PARTIES at the tenth session, the delegations of South Africa and the Federation drew attention to the special customs relationships which had traditionally existed between South Africa and the two Rhodesias under the customs and trade agreements which were in operation at various times over more than half a century prior to the entry into force of the 1955 Agreement.

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<sup>1</sup> Reference: L/381/Add.1.

"4. The ability of the two Governments to honour fully their tariff commitments towards each other under the 1955 Agreement presupposes the existence of the necessary freedom in cases where such action is considered necessary for protective or fiscal reasons to raise their tariffs against third countries without any amendment of the Trade Agreement being involved.

"5. When the two Governments accepted the Decision of 3 December 1955, (BISD Fourth Supplement, pages 17 to 20), it was their understanding that this freedom of action was in no way impaired by the terms of the Decision and they would be grateful if the CONTRACTING PARTIES would now confirm that this understanding, on the basis of which the Agreement has hitherto been applied by the two Governments, accords with the intentions underlying the Decision."