

GENERAL AGREEMENT ON
TARIFFS AND TRADE

L/3503
3 March 1971
Limited Distribution

JAMAICA - MARGINS OF PREFERENCE

Base Date under Article I:4

DECISION OF 2 MARCH 1971¹

Recalling that the Government of the United Kingdom, after having accepted, in June 1948, the Protocol of Provisional Application of the General Agreement on behalf of the territories for which it had international responsibility, with the exception of Jamaica, gave notice on 1 July 1962 of its decision to apply the GATT provisionally also in respect of Jamaica and that this provisional acceptance of the GATT was effective on 1 August 1962;

Noting that in the period before 1 August 1962 certain modifications had been made in the Jamaican tariff, as a result of which some preferential margins were reduced while some were increased, the majority of preferential margins, however, remaining unchanged;

Considering that Jamaica achieved independence on 6 August 1962 and was deemed a contracting party under the provisions of Article XXVI:5(c) by Certification of 31 December 1963, its rights and obligations dating from the date of independence;

Considering that the rights and obligations assumed by the Government of Jamaica are the rights and obligations resulting from the application to it of the General Agreement by the United Kingdom as from 1 August 1962, including the provision of Article I:4 establishing 10 April 1947 as the base date for permissible margins of preference;

Considering that a strict interpretation of the legal obligations would have required Jamaica on 1 August 1962 to readjust the margins of preference and would have been inconsistent with the considered policy of the Jamaican authorities over a period of fourteen years;

¹The Decision was adopted by postal ballot. There were forty-eight votes in favour and none against.

Considering that these circumstances are sufficiently exceptional to warrant an invocation of paragraph 5 of Article XXV,

The CONTRACTING PARTIES, acting pursuant to paragraph 5 of Article XXV,

Decide that in the case of Jamaica the date of 10 April 1947 referred to in paragraph 4 of Article I of the General Agreement in relation to preferences in respect of import duties or charges permitted by paragraph 2(a) of that Article, shall be replaced by 1 August 1962.