

GENERAL AGREEMENT ON TARIFFS AND TRADE

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CONTRACTING PARTIES
Sixth Session

REPORT OF WORKING PARTY 4 ON ARRANGEMENTS FOR TARIFF NEGOTIATIONS

PART I

Taking as its point of departure the memorandum submitted to the Contracting Parties by the United States Delegation (GATT/CP.6/2), the Working Party elaborated detailed procedures for tariff negotiations at times other than during general tariff conferences, using as a working document a note prepared by the Executive Secretary (GATT/CP.6/W/5). The procedures thus drawn up and now submitted for adoption by the Contracting Parties are set out in Part II of this Report. The remainder of Part I contains explanatory notes on the procedures and on the model protocols annexed to the procedures.

GENERAL

The Working Party has based the proposed rules for negotiation on the procedures and practices followed at the Geneva, Annecy and Torquay Tariff Conferences. Wherever possible, however, the procedures have been simplified with a view to facilitating negotiations while at the same time maintaining the multilateral background which is the distinguishing feature of tariff negotiations undertaken within the General Agreement.

The procedures are set out in two parts, one dealing with negotiations with a government or governments not party to the General Agreement but wishing to accede thereto and the other with negotiations between two or more contracting parties wishing to enter into negotiation with each other with a view to the incorporation of the results of the negotiations into the General Agreement.

Notes relating to the Procedures for Negotiations with a Government wishing to accede to the General Agreement

Rule 1. The Working Party considered it desirable that contracting parties should be expected to indicate within the shortest period practicable whether they had any objection to the proposed negotiations for accession and secondly whether they would wish to participate in such negotiations. On the other hand it was recognized that in some cases important decisions of policy might be involved which it would be unreasonable to expect to be made in a very short period. Accordingly the Working Party has suggested in the rule that normally contracting parties should give their replies within 30 days, but that an extension of the time limit to 60 days could be allowed at the request of any contracting party.

The words "under these procedures" (1(a)) require some explanation. It was pointed out in the course of the discussion that the procedures suggested might, in general, be satisfactory in the case of the proposed accession of countries of relatively minor importance in international trade, might be neither practicable nor appropriate in the case of the proposed accession of a country of major importance in international trade. While, therefore, an individual contracting party might not object to a would-be acceding country carrying out negotiations with a view to accession, it might consider that, because of the large volume of trade which would be the subject of negotiation, the only appropriate way of conducting the negotiations would be at a general tariff conference.

Rule 2. In the absence of these procedures a request by a government to enter into negotiations with a view to accession to the General Agreement would be considered and acted upon at a Session of the Contracting Parties. This discussion would afford any contracting party which had objections to such a request an opportunity to explain its views and to seek a decision of the Contracting Parties in the light of these explanations and the ensuing discussion in the Contracting Parties. The Working Party felt, however, that it would be undesirable to conclude that a request received when the Contracting Parties were not in session would have to be held over until the next regular Session which might be many months distant. On the other hand, if a contracting party raised an objection it was, as pointed out above, a prima facie right of the contracting party to have its objection considered by the Contracting Parties. The rule suggested by the Working Party is a compromise solution to this problem. If three contracting parties raised such objections the question would be referred to the next regular Session. As a safeguard against unnecessary and unreasonable delays consequent upon such objections it is, as pointed out in Rule 2, open to any of the contracting parties wishing to undertake negotiations with the would-be acceding government to submit a request under the ordinary Rules of Procedure for the convening of a special session of the Contracting Parties. The Working Party recognized that the choice of the number of contracting parties whose support was necessary to secure the referring of an inter-sessional request for accession to a Session of the Contracting Parties was arbitrary. They felt, however, that similar objections could be raised to any other figure that might be chosen and that it was perhaps reasonable to adopt the figure decided upon in that, if any matter is raised before the Contracting Parties and its discussion is moved by one other contracting party and seconded by a third, it would normally be accepted for discussion by the Contracting Parties. To this extent therefore the figure of three contracting parties would appear to be a reasonable suggestion.

Notes relating to Procedures for Negotiations between two or more Contracting Parties

General

It was agreed in the course of discussion of these rules to record in the Report of the Working Party its understanding that there is nothing in the General Agreement which prevents individual contracting parties from negotiating with each other outside the scope of the Agreement. The rules proposed are not meant to apply to such cases but only to cases where contracting

parties wish to enter into negotiations with a view to the incorporation of the results of such negotiations into the General Agreement. Since the Agreement is a multilateral agreement these procedures take cognisance of the possible interest of other contracting parties in negotiations undertaken between only two contracting parties and also provide rules for more complicated cases which may sometimes in practice arise.

The Working Party recognized that normally negotiations under this heading will prove less complicated than those arising in connection with the accession of a government which is not a contracting party. In view of the successive rounds of large-scale negotiations which have taken place since 1947 the Working Party considered that further negotiations between contracting parties in the near future might be expected to be of a limited character and unlikely therefore to lead to extensive participation by other contracting parties.

Rule 2. There was some discussion in the Working Party as to whether request lists should be sent to all contracting parties or only to those who, in response to a preliminary enquiry, have expressed an interest in receiving them. It was agreed that it would be more in accord with the procedures and practices hitherto followed to send request lists to all contracting parties. Moreover, in some cases these lists would be essential to enable other contracting parties to decide whether they wished to negotiate with one or more of the parties originally proposing the negotiations, as contemplated in Rule 3.

Rules 3 and 4. It will be seen from these rules that the Working Party felt that there should be considerable flexibility in the arrangements for the negotiations, these being largely a matter for the governments concerned to arrange in consultation between themselves, subject to the Secretariat being kept informed of the arrangements agreed upon.

Notes relating to both sets of Procedures

Rules and Principles

Certain representatives pointed out that their delegations could not accept Rule 5 if such acceptance were taken to imply that the rules and principles laid down in GATT/TN.2/16, Section III, were satisfactory in their present form. The Working Party agreed that the acceptance by any contracting party of Rule 5 would not carry this implication and it was agreed to word Rule 5 in such a way as to make it subject to such modifications as might be decided by the Contracting Parties later on.

Tariff Negotiations Committee

In both cases it is suggested that the governments participating in the negotiations could set up a tariff negotiations committee to assist in the management of the negotiations. As regards negotiations between contracting parties, however, this was only envisaged in the exceptional case where a substantial number of contracting parties were involved in the negotiations.

Secretariat Services

The Working Party considered that in any negotiations under these procedures the governments concerned should be entitled to look to the Secretariat for appropriate assistance. It was not considered necessary to refer to this point in the rules since the Working Party regarded it as being within the general functions of the Secretariat to assist in the carrying out of procedures adopted by the Contracting Parties.

Giving Effect to the Results of Negotiations

A. Negotiations with an acceding government

It is contemplated in the rules (Rule 6) that normally the draft decision relating to the accession of the government concerned and the draft protocol embodying the terms of accession, with the schedules of tariff concessions annexed, would be submitted to the next Session of the Contracting Parties for approval. It was considered, however, desirable to provide for more rapid action where a considerable period would elapse between the conclusion of the negotiations and the next Session of the Contracting Parties. The Working Party has therefore drawn up a model Protocol and Decision under Article XXXIII based upon the Ancey and Torquay Protocols and Decisions which, at the request of the participating governments, would be circulated to the contracting parties by the Secretariat. Upon the receipt of a favourable vote on the decision by two-thirds of the Contracting Parties, the Protocol would be opened for signature.

B. Negotiations between contracting parties

Some members of the Working Party felt that, before the results were incorporated into the General Agreement, they should be communicated to all contracting parties who should be given a certain period in which to signify objections in the event that they considered that their interests were adversely affected. The majority of the Working Party felt, however, that since the negotiations could only relate to the reduction or binding of tariff levels the question of objections could not arise since the benefits of all such concessions would by virtue of Article I of the Agreement normally be extended to all contracting parties. In the event of any incidental or unintended impairment of an advantage which a contracting party then enjoyed under the Agreement, appropriate procedures for consultation regarding the matter are contained in the Agreement, with the ultimate possibility of a resort to paragraph 2 of Article XXIII.

The Working Party considered the problem of incorporation of the results of such negotiations into the General Agreement. Some members felt that, provided that the terms of the protocol embodying the concessions and providing for their incorporation into the General Agreement were approved by the Contracting Parties, such incorporation would be effective upon signature of the Protocol by the negotiating governments alone. Others felt, however, that since additions to the Schedules to the General Agreement were involved, the Contracting Parties as a whole should be party to the Protocol and

that the Protocol should, therefore, be open for signature by all contracting parties. The model Protocol annexed to the Rules accordingly, whilst providing that the signatures of the negotiating governments shall be sufficient to bring the schedules of tariff concessions into effect, is also open for signature by other contracting parties.

As regards paragraph 2(i), which is modelled on paragraph 4 of the Annecy and Torquay Protocols, some members of the Working Party felt that the obligation to consult, in the event of a concession being withheld under this paragraph, should be confined to other contracting parties which participated in the negotiations. Otherwise they considered that this provision might be construed as affording to other contracting parties, who took no part in the negotiations and therefore made no counter-concession in reliance on the concession withheld, a right to claim compensation. The Working Party considered that it was desirable to retain the provision whereby all contracting parties would be informed of such a withholding and that it was clear that the right to consultation could not reasonably be construed to have the effect suggested. On this understanding it was agreed to retain the wording employed in previous protocols.

It was pointed out in the course of the discussion that the terms on which the concessions in schedules annexed to a protocol on the lines of the model would enter into effect were in some respects different from those under Article II of the General Agreement. For example, in paragraph 3(a) of the model protocol it had been provided that, whenever Article II of the General Agreement referred to the date of the Agreement, the date to be applied to the schedules annexed to a protocol based on the model should be the date of that protocol. It was therefore suggested that, as the concessions could by the terms of the protocol be brought into effect upon the signature of only two or a few of contracting parties, it would be desirable for the Contracting Parties at this Session, in formally adopting these procedures, to take action under Article XXV:5 (a) to waive the relevant obligations of the contracting parties concerned to the extent that the obligations under the model protocol might in any respect be less onerous than those under Article II. Other members of the Working Party felt that this point was not of substantial importance; identical provisions had been included in the Annecy and Torquay Protocols and, since the Protocols drawn up to embody the results of negotiations under the new procedures were to be open for signature by all contracting parties and would, therefore, presumably be signed by most if not all of the contracting parties, there seemed no reason to adopt a procedure in the case of these protocols which had not been thought necessary in the case of the Torquay Protocol. The Working Party felt that, insofar as these questions with respect to Article II did raise a problem in connection with the model Protocols, it would in fact be solved if the procedures recommended by the Working Party were adopted by a sufficient majority to satisfy the voting requirements of Article XXV:5 (a). Then, adoption of these procedures would have the effect of authorizing contracting parties to proceed in accordance with the terms of the model protocol, and accordingly of waiving obligations under Article II to the extent that they might be more onerous than those under a protocol based on the model.

PART II

A. Negotiations with a government not party to
the General Agreement

1. The Secretariat on receiving a communication from a Government not party to the General Agreement which wishes to enter into negotiations with contracting parties with a view to acceding to the Agreement would notify the contracting parties by cable, together with an indication of the contracting parties with which the requesting Government intends to enter into such negotiations. On receipt of such a communication each contracting party would be expected to advise within 30 days, or within 60 days should any contracting party so request, whether
 - (a) it had any objections to that Government entering into negotiations under these procedures with a view to accession,
 - (b) in the event of negotiations taking place, it would wish to participate.

2. If three or more contracting parties advise that they object under paragraph 1(a), the request would be referred to the next session of the Contracting Parties. However, in a case of urgent necessity a special session of the Contracting Parties could be called, in accordance with the Rules of Procedure, at the request of any contracting party which had advised its desire to enter into negotiations with that Government.

3. Unless objections were so raised by three or more contracting parties, the Secretariat would consult with the participating governments (i.e. the requesting Government and the participating contracting parties) to determine:
 - (a) the site for the negotiations;
 - (b) the date on which the lists of requests should be exchanged;
 - (c) the date of entering into negotiations.

As far as possible in advance of the date it is proposed to enter into negotiations, participating governments should submit 50 copies of their request lists to the Secretariat for circulation to other contracting parties.

4. The participating governments could set up a Tariff Negotiations Committee to render assistance on questions of procedure and other matters connected with the conduct of the negotiations.
5. The negotiations would be conducted in accordance with the rules and principles laid down in GATT/TN.2/16, Section III, subject to such modifications in these rules and principles as may hereafter be made by the Contracting Parties.
6. A draft protocol of accession, with the schedules of tariff concessions annexed, and a draft decision under Article XXXIII relating to the accession of the Government not party to the General Agreement would be submitted to the next session of the Contracting Parties for approval. However, in the event that a substantial period would elapse between the conclusion of the negotiations and the next session, and on the request of the participating governments, the Secretariat would circulate a protocol and a decision containing the provisions of the model protocol and decision contained in Annex A to these procedures. Provided favourable votes on the decision are received from two-thirds of the contracting parties the protocol would be opened for signature.

B. Negotiations between two or more contracting parties

1. Contracting parties wishing to enter into negotiations with a view to the incorporation of the results of such negotiations into the General Agreement on Tariffs and Trade would notify the Secretariat which would pass on the information to all other contracting parties by cable.
2. As far as possible in advance of the date it is proposed to enter into negotiations, the parties originally proposing these negotiations would advise the Secretariat of their intentions as to the date and place of the proposed negotiations and submit 50 copies of request lists. This information as well as the request lists would be circulated by the Secretariat to other contracting parties.
3. A contracting party which considered that it had a substantial interest in the negotiations and therefore wished to negotiate with one or more of the parties which originally proposed negotiations, should within 30 days from the day of the circulation of the lists propose such negotiations to the government or governments concerned and, at the same time, notify the Secretariat. The participating governments may invite other contracting parties which they consider to have a substantial interest in the negotiations to participate therein.
4. If supplementary negotiations are to take place the contracting parties, through the Secretariat, should be notified and supplied with request lists. Such supplementary negotiations should where practicable take place at the same time and place as the negotiations originally proposed; however, if such an arrangement is not convenient, other arrangements could be made by agreement between the governments concerned. The Secretariat should be kept informed of such alternative arrangements.

5. The negotiations would be conducted in accordance with the relevant rules and principles laid down in GATT/TN.2/16, Section III, subject to such modifications in these rules and principles as may hereafter be made by the Contracting Parties.
6. In the exceptional case where a number of contracting parties were involved in negotiations at a single centre, the participating governments could set up a Tariff Negotiations Committee to render assistance on questions of procedure and other matters connected with the conduct of the negotiations.
7. The results of the negotiations would be put into effect as agreed by the participating governments, and in accordance with the provisions of the model protocol contained in Annex B to these procedures which also provides for the incorporation of the results into the General Agreement. Upon the entry into force of a schedule annexed to the Protocol, in accordance with the provisions of the Protocol concerned, that schedule shall be regarded by the Contracting Parties as a schedule to the General Agreement relating to the negotiating contracting party in question. The participating governments would promptly communicate such results* to the Secretariat, which would circulate them to all contracting parties. Should it be considered, in any case, that use of the model protocol would be inappropriate, the incorporation of the results of the negotiations into the General Agreement would be taken up at the following session of the Contracting Parties.

* In order to place on record with which of the participating contracting parties the concessions in question were initially negotiated, the participating governments will also furnish to the Secretariat the final list of offers exchanged.

ANNEX A

Model Protocol of Accession for Use in Negotiations under
Section A of Tariff Negotiations Procedures

Protocol of Terms of Accession of the name of the acceding country to the General Agreement on Tariffs and Trade.

The Governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter called "present contracting parties" and "General Agreement"), acting pursuant to the decision under Article XXXIII of the General Agreement agreeing to the accession of the name of the acceding country, and the Government of the name of the acceding country.

HAVING REGARD to the results of the negotiations directed toward the accession of the name of the acceding country to the General Agreement,

HAVE through their representatives agreed as follows:

1. (a) The Government of the name of the acceding country, upon the entry into force of this Protocol with respect to it pursuant to paragraph 10 following the taking of the decision under Article XXXIII as to its accession, shall apply provisionally and subject to the provisions of this Protocol

(i) Parts I and III of the General Agreement, and

(ii) Part II of the General Agreement to the fullest extent not inconsistent with its legislation existing on the date of this Protocol.

(b) The obligations incorporated in paragraph 1 of Article I of the General Agreement by reference to Article III thereof and those incorporated in paragraph 2(b) of Article II by reference to Article VI shall be considered as falling within Part II of the General Agreement for the purpose of this paragraph.

(c) For the purposes of the General Agreement, the schedule contained in Annex B upon its entry into force pursuant to paragraph 10 shall be regarded as a schedule to the General Agreement relating to the name of the acceding country.

2. Upon the entry into force of this Protocol with respect to the name of the acceding country, pursuant to paragraph 10 hereof, the name of the acceding country shall become a contracting party as defined in Article XXXII of the General Agreement.

3. (a) On the thirtieth day following the day upon which this Protocol shall have been signed by a present contracting party, the schedule relating to that contracting party contained in Annex A shall enter into force.

(b) When a schedule has entered into force pursuant to subparagraph (a) such schedule shall be reported as a schedule to the General Agreement relating to the contracting party in question.

4. Any government 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, in respect of which such government determines that it was initially negotiated with a government which has not signed this Protocol, Provided that

(i) the government withholding or withdrawing in whole or in part any such concession shall give notice to all contracting parties and /the name of the acceding country/ 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 government with which it was initially negotiated signs this Protocol.

5. (a) 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.

(b) In each case in which paragraph 6 of Article V, subparagraph 4(d) of Article VII, and subparagraph 3(c) of Article X of the General Agreement, refer to the date of that Agreement, the applicable date in respect of /the name of the acceding country/ shall be March 24, 1948.

(c) In the case of references in paragraph 11 of Article XVIII of the General Agreement to September 1, 1947, and October 10, 1947, the applicable dates in respect to /the name of the acceding country/ shall be /a date after the opening of the negotiations and before the second date to be supplied in this paragraph/, and /a date not less than twenty days before the date of the Protocol/, respectively.

(d) In the case of the date in paragraph 1 of Article XXVIII of the General Agreement, the applicable date in respect of the schedules annexed to this Protocol shall be January 1, 1954.* /This subparagraph may be deleted if on the date of the Protocol the amendment to paragraph 1 of Article XXVIII contained in paragraph 6 of the Torquay Protocol has entered into force for all contracting parties participating in the negotiations./

* Should all the participating governments agree to use a date later than January 1, 1954, they would be free to do so.

6. (a) The provisions of the General Agreement to be applied by [the name of the acceding country] shall be those contained in the text annexed to the Final Act of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment as rectified, amended, supplemented, or otherwise modified by such instrument as may have become effective by the day on which this Protocol is signed by [the name of the acceding country].

(b) Signature of this Protocol by [the name of the acceding country] shall constitute an acceptance of the rectifications, amendments, supplementations, or other modifications of the General Agreement provided for in any instruments which have been drawn up by the CONTRACTING PARTIES and opened for acceptance, but which have not become effective at the time that this Protocol is signed by [the name of the acceding country], such acceptance to take effect when [the name of the acceding country] becomes a contracting party.

7. [The name of the acceding country], following signature of this Protocol, shall be free to withdraw its provisional application of the General Agreement and such withdrawal shall take effect on the sixtieth day following the day on which written notice of such withdrawal is received by the Secretary-General of the United Nations.

8. (a) [The name of the acceding country], after having signed this Protocol and not having given notice of withdrawal under paragraph 7, may, on or after the day on which the General Agreement enters into force pursuant to Article XXVI thereof, accede thereto upon the applicable terms of this Protocol by deposit of an instrument of accession with the Secretary-General of the United Nations. Such accession shall take effect on the day on which the General Agreement enters into force pursuant to Article XXVI, or on the thirtieth day following the day of the deposit of the instrument of accession, whichever shall be the later.

(b) Accession to the General Agreement pursuant to subparagraph (a) shall, for the purpose of paragraph 2 of Article XXXII of that Agreement, be regarded as acceptance of the Agreement pursuant to paragraph 3 of Article XXVI thereof.

9. (a) If by [the sixtieth day following the date of this Protocol] favorable votes have been received, from two-thirds of the governments which are then contracting parties, to the decision for the accession of [the name of the acceding country], the original text of this Protocol, together with the annexes thereto, shall be deposited with the Secretary-General of the United Nations. It shall be open for signature at the Headquarters of the United Nations from [the seventy-fifth day following the date of the Protocol] to [six months following the date of the Protocol] by present contracting parties and [the name of the acceding country].

(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, of each deposit of an instrument of accession under paragraph 8(a), and of each notice under paragraph 7, to each member of the United Nations, to each government which participated in the United Nations Conference on Trade and Employment and to any other interested government.

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

10. This Protocol, including the schedule relating to the name of the acceding country contained in Annex B, shall enter into force for the name of the acceding country on the thirtieth day following the day upon which it shall have been signed by the name of the acceding country.

11. The date of this Protocol shall be the date of the close of the negotiations, or as shortly thereafter as the Protocol can be prepared.

DONE at the site of the negotiations, in a single copy in the English and French languages, both texts authentic except as otherwise specified in schedules annexed hereto.

Annex A

SCHEDULES OF CONTRACTING PARTIES

A separate schedule for each participating contracting party

Annex B

SCHEDULE OF the name of the acceding country

The separate schedule of the acceding country

DECISION AGREEING TO THE ACCESSION OF
the name of the acceding country

Decision by the Contracting Parties agreeing to the accession of the name of the acceding country to the General Agreement on Tariffs and Trade.

THE CONTRACTING PARTIES,

HAVING REGARD to the results of the negotiations directed toward the accession of the name of the acceding country to the General Agreement on Tariffs and Trade,

DECIDE in accordance with Article XXXIII of the General Agreement.

1. The CONTRACTING PARTIES agree to the accession of the Government of the name of the acceding country to the General Agreement on the terms which are provided for in the relevant Protocol of Terms of Accession of the name of the acceding country to the General Agreement.

2. Votes by contracting parties on this Decision must be received by the Chairman of the CONTRACTING PARTIES at Geneva by [two months following the date of the Protocol].

3. This Decision shall constitute a decision of the CONTRACTING PARTIES taken on [two months following the date of the Protocol], provided that by that date favorable votes thereon shall have been received from two-thirds of the governments which are at that time contracting parties.

ANNEX BModel Protocol for Use in Negotiations
under Section B of Tariff Negotiations Procedure

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 the conduct of tariff negotiations by two or more contracting parties under the General Agreement and for putting into effect under the Agreement the results of such negotiations,

The governments of A and B which are contracting parties to the General Agreement (hereinafter referred to as "negotiating contracting parties") having carried out tariff negotiations under these procedures 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 a 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. Any 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, in respect of which such contracting party determines that it was initially negotiated with a negotiating contracting party which 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 contracting party with which it was initially negotiated signs this Protocol.

If both or all schedules enter into force on the same day paragraph 2 may be deleted.

3. (a) 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.

(b) In the case of the date in paragraph 1 of Article XXVIII of the General Agreement, the applicable date in respect of the schedules annexed

to this Protocol shall be January 1, 1954.* √This subparagraph may be deleted if on the date of the Protocol the amendment to paragraph 1 of Article XXVIII contained in paragraph 6 of the Torquay Protocol has entered into force for all negotiating contracting parties.7

4. (a) The original text of this Protocol, together with the annexes thereto, shall be deposited with the Secretary-General of the United Nations. It shall be open for signature by contracting parties at the close of the negotiations and thereafter at the Headquarters of the United Nations until six months following the date of the Protocol.

(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 member of the United Nations, to each government which participated in the United Nations Conference on Trade and Employment, and to any other interested government.

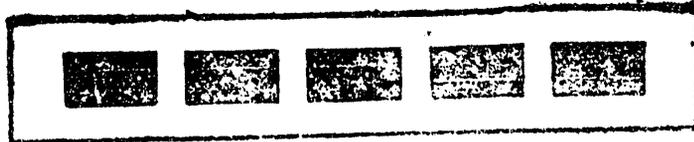
(c) The Secretary-General is authorized to register this Protocol in accordance with Article 102 of the Charter of the United Nations.

5. The date of this Protocol shall be the date of the close of the negotiations, or as shortly thereafter as the Protocol can be prepared.

DONE at √the site of the negotiations7 in a single copy in the English and French languages, both texts authentic except as otherwise specified in schedules annexed hereto.

SCHEDULES OF CONTRACTING PARTIES

√A separate schedule for each negotiating contracting party7



* Should all negotiating contracting parties agree to use a date later than January 1, 1954, they would be free to do so.