

United Nations  
CONFERENCE  
ON  
TRADE AND EMPLOYMENT

Nations Unies  
CONFERENCE  
DU  
COMMERCE ET DE L'EMPLOI

RESTRICTED  
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16 January 1948  
ORIGINAL: ENGLISH

SIXTH COMMITTEE: ORGANIZATION

SUB-COMMITTEE ON ARTICLES 95, 96, 98, 99 AND 100

SUMMARY RECORD OF FIFTH AND SIXTH MEETINGS

Held on 15 and 16 January 1948, at 10.30 a.m.

Chairman: Mr. FAWCETT (United Kingdom)

CONSIDERATION OF REDRAFT OF ARTICLE 95

The following redraft of Article 95 suggested by the delegations of Mexico and the United States of America and amended by the Sub-Committee was approved:

"1. Any amendment to this Charter which does not alter the obligations of Members shall become effective upon approval by the Conference by the affirmative votes of two-thirds of the Members.

2. Any amendment which alters the obligations of Members, shall, after receiving the approval of the Conference by the affirmative votes of two-thirds of the Members present and voting, become effective for each Member accepting the amendment upon the ninetieth day after two-thirds of the Members have notified the Director-General of their acceptance, and thereafter for each remaining Member, on acceptance by it. The Conference may, in its resolution approving an amendment under this paragraph, determine that the amendment is of such a nature that all Members, which have not accepted it within a specified period after the amendment has become effective, shall be suspended from membership in the Organization; Provided that at any time, the Conference may, by the affirmative votes of two-thirds of the Members present and voting, determine the conditions under which this suspension shall be waived with respect to any such Member.

3. A Member not accepting an amendment under paragraph 2 of this Article, shall be free to withdraw from the Organization at any time after the amendment has become effective, upon the expiration of sixty days from the day on which written notice of such withdrawal, which may be given at any time, is received by the Director-General; Provided that the withdrawal of any Member suspended under paragraph 2 of this Article shall

Article shall be effective upon receipt of written notice of withdrawal by the Director-General.

4. The Conference shall, by the affirmative votes of two-thirds of the Members present and voting, establish rules with respect to the reinstatement of Members suspended under the provisions of paragraph 2 of this Article and any other rules required for carrying out the provisions of this Article, including the determination whether paragraph 1 or paragraph 2 would apply".

CONSIDERATION OF ARTICLE 96

The Sub-Committee adopted the following new text of Article 96:

"ARTICLE 96

Review of the Charter

1. The Conference shall carry out a general review of the provisions of this Charter at a special session to be convened in conjunction with the regular annual session nearest the end of the fifth year after its entry into force.
2. The Director-General shall invite each Member, at least one year in advance, to submit any amendment or observations which they may wish to propose and shall circulate them for consideration by the other Members.
3. Amendments resulting from such review shall become effective according to the procedure established in Article 95."

CONSIDERATION OF THE PROPOSED NEW ARTICLE 100 SUBMITTED BY THE DELEGATION OF CHILE

It was determined that a majority of the Members of the Sub-Committee agreed with the principle embodied in the Chilean amendment. Since agreement could not be reached on the exact wording of the proposed new Article, the Chairman appointed a Working Party composed of Belgium, France, Mexico and the United Kingdom for the purpose of redrafting the proposed amendment.

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